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## 2011 Bills Filed of Interest to Law Enforcement



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*Written by Michael W. Bischoff*

Updated February 12, 2011

[SB 2/LM/AA](#) (BR 330) - [D. Thayer](#), [D. Williams](#), [J. Bowen](#)

AN ACT relating to retirement.

Create a new section of KRS 21.345 to 21.580 to close the Legislators' Retirement Plan and the Judicial Retirement Plan to new members effective July 1, 2012, and to prohibit legislators and judges who take office on or after the effective date of this Act from participating in a retirement system for their service as a legislator or judge if the individual is retired and receiving a benefit from a state-administered retirement system; create a new section of KRS 21.345 to 21.580 to allow members of the Legislators' Retirement Plan and the Judicial Retirement Plan with less than 5 years of service to transfer their membership and account balance to the Public Employees Retirement System; create a new section of KRS 61.510 to 61.705 to close the Kentucky Employees Retirement System, the County Employees Retirement System, and the State Police Retirement System to new members effective July 1, 2012, and to prohibit retired members of other state-administered retirement systems from contributing to these systems or the Public Employees Retirement System if they are reemployed on or after the effective date of this Act; create a new section of KRS 61.510 to 61.705 to allow members of the Kentucky Employees Retirement System, County Employees Retirement System, and the State Police Retirement System, with less than 5 years of service to transfer their membership and account balance to the Public Employees Retirement System; create KRS Chapter 61A to establish the Public Employees Retirement System, a defined contribution plan administered by the board of the Kentucky Retirement Systems for new employees hired by a participating agency in the retirement systems closed under the provisions of this Act; establish administrative requirements of the Public Employees Retirement System and authorize the board to establish or amend existing plans or to contract with the Kentucky Deferred Compensation Authority for administration of the plans; establish eligibility for membership in the Public Employees Retirement System; provide that individual agencies may establish additional defined contributions with matching contributions for reemployed retirees not eligible to participate in the Public Employees Retirement System; establish matching employer contributions of 5% for non-hazardous employees and 8% for hazardous employees contributing to the Public Employees Retirement System and vesting rules for employer contributions; establish the State Treasurer as custodian of the Public Employees Retirement System; require that each employer shall contribute to the Public Employees Retirement System the amount that is otherwise contributed for employees still participating in the closed systems and to provide that the contributions shall be distributed to fund benefits and expenses of the Public Employees Retirement System and to pay off unfunded liabilities of the closed systems; cross-reference statutes pertaining to the Kentucky Employees Retirement System related to the Kentucky Retirement Systems board, investment committee, employer duties, confidentiality of member accounts, correction of errors in records, and statements made under oath; allow the General Assembly to suspend or reduce benefits provided under the Public Employees Retirement System; establish minimum line-of-duty disability and death benefits for members of the Public Employees Retirement Systems of 25% of pay to the member or deceased member's spouse and 10% for each dependent child and require the systems to contract with a insurance company duly licensed in the state of Kentucky for administration; authorize the board to establish retiree health coverage for members and beneficiaries upon retirement or in-the-line-of-duty disablement or death and to establish a benefit of \$10 per month for non-hazardous employees and \$15 per month for hazardous employees; amend KRS 6.515 and 21.370 to increase the cost of purchasing active duty military service to the full actuarial cost for members of the Legislators' Retirement Plan and the Judicial Retirement Plan; prohibit s

[SB 6/LM/CI](#) (BR 45) - [J. Schickel](#)

AN ACT relating to unauthorized aliens.

Create new sections of KRS Chapter 432 to define terms; set out the intent of the chapter and prevent the adoption of policies, administrative regulations, or laws that restrict the enforcement of federal immigration laws; allow for determining the immigration status of

a person on reasonable suspicion, the arrest of an unlawful alien upon probable cause, and the transference of a convicted unlawful alien to the United States Immigration and Customs Enforcement or the United States Customs and Border Protection; specify that officials or agencies may not be prohibited from sharing the immigration status of a person under specific instances; indemnify a governmental law enforcement officer where the officer has been brought into a legal action; make it a Class D felony to intentionally smuggle persons for profit or commercial purposes, a Class B felony if the smuggled person is under 18 or the offense involved a deadly weapon, or a Class C felony if serious physical injury is used or threatened; define trespassing by an unauthorized alien in the first degree and set out the penalties for conviction; make it a Class A misdemeanor for a person to transport or conceal unauthorized aliens, or encourage an unauthorized alien to come to this state; amend KRS 186A.320 to include motor vehicles used in violation of Section 8 of this Act in the impoundment procedures.

[SB 10/LM/CI](#) (BR 286) - [D. Thayer](#), [D. Williams](#), [J. Westwood](#), [M. Wilson](#)

AN ACT proposing to create a new section of the Constitution of Kentucky, adopting a 21st Century Bill of Rights.

Propose to create a new section of the Constitution of Kentucky adopting a 21st Century Bill of Rights; claim sovereignty under the Tenth Amendment to the Constitution of the United States; establish that no law or rule shall compel certain persons to participate in health care systems or to provide abortion services; prohibit laws that prevent the severing of coal, that restrict posting of the Ten Commandments, that restrict hunting and fishing, or that infringe upon the lawful possession or use of firearms or ammunition; prohibit expansion of gambling unless it is permitted by a constitutional amendment; establish that governmental agencies should promote the use of Kentucky coal and make public information available on the Internet, and that the General Assembly should provide a reasonable period of time for public review and comment on any appropriation or revenue measure.

[SB 22](#) (BR 183) - [J. Schickel](#)

AN ACT relating to crimes and punishments.

Amend KRS 508.025 relating to assault in the third degree to make assaulting a physician, physician's assistant, nurse, nurse practitioner, certified registered nurse anesthetist, respiratory therapist, laboratory technician, radiology technician, or social worker providing services in the emergency room of a hospital a Class D felony; amend KRS 508.078 relating to terroristic threatening in the second degree to include the persons specified above and emergency medical services persons in the emergency room of a hospital a Class D felony.

[SB 26](#) (BR 78) - [T. Buford](#)

AN ACT relating to identification cards for people experiencing homelessness.

Amend KRS 186.531 to establish a \$4 charge for a personal identification card issued to a person without a fixed, permanent address; amend KRS 186.412 to establish that a personal identification card issued to a person without a fixed, permanent shall be valid for one year from the date of issuance.

[SB 30/LM](#) (BR 141) - [J. Pendleton](#)

AN ACT relating to industrial hemp.

Create new sections of KRS Chapter 260 to define "department", "industrial hemp", and "THC"; require persons wanting to grow or process industrial hemp to be licensed by the Department of Agriculture; require criminal history checks by local sheriff; require the Department of Agriculture to promulgate administrative regulations to carry out the provisions of the Act; require sheriff to monitor and randomly test industrial hemp fields; assess a fee of \$5 per acre for every acre of industrial hemp grown, with a minimum fee of \$150, to be divided equally between the Department of Agriculture and the appropriate sheriff's department; require licensees to provide the Department of Agriculture with names and addresses of any grower or buyer of industrial hemp, and copies of any contracts the licensee may have entered into relating to the industrial hemp; clarify that the Act does not authorize any person to violate federal law; require Kentucky to adopt any federal rules or regulations relating to industrial hemp.

[SB 33](#) (BR 92) - [J. Schickel](#), [D. Thayer](#), [J. Westwood](#)

AN ACT relating to firearms, including ammunition and accessories for firearms.

Create new sections of KRS Chapter 237 relating to firearms, ammunition, and firearms accessories made in Kentucky, marked as made in Kentucky, and used in Kentucky to specify that these items, with specified exemptions, are exempt from federal law; name law the "Kentucky Firearms Freedom Act."

[SB 44](#) (BR 495) - [T. Buford](#)

AN ACT relating to the employment of persons with criminal records in long-term care facilities, nursing facilities, and assisted living communities.

Amend KRS 216.789 to prohibit employment by a long-term care facility, nursing facility, or an assisted living community of all persons

convicted of a felony offense related to theft; abuse or sale of illegal drugs; abuse, neglect, or exploitation of an adult; or a sexual crime.

[SB 45/LM/CI](#) (BR 101) - [T. Jensen](#)

AN ACT relating to controlled substances.

Amend KRS 218A.110 to make ephedrine, pseudoephedrine, and phenylpropanolamine or their salts, isomers, and salts of isomers a Schedule IV controlled substance; amend KRS 218A.180 relating to dispensing and prescriptions by practitioners to prohibit a practitioner from dispensing more than 9 grams of ephedrine, pseudoephedrine, or phenylpropanolamine and their salts, isomers, or salts of isomers to an ultimate user in a 30 day period; prohibit a prescription for more than 9 grams of product, prohibit refilling a prescription prior to the expiration of 30 days from the prior prescription; repeal KRS 218A.1446 relating to over the counter sales of ephedrine, pseudoephedrine, and phenylpropanolamine.

[SB 46/LM](#) (BR 402) - [J. Higdon](#)

AN ACT relating to the destruction of firearms.

Create a new section of KRS Chapter 500 to provide that a firearm used in the commission of a homicide, fetal homicide, or assault against a peace officer or firefighter shall be destroyed upon the conclusion of the criminal proceeding; establish the procedure for certification of destruction; amend KRS 16.210, 16.220, 237.090, 500.090, and 527.060 to conform.

[SB 49/LM](#) (BR 836) - [D. Harper Angel](#), [K. Stein](#)

AN ACT relating to dating violence.

Amend KRS 403.720 to include persons in dating relationships within the coverage of Kentucky's domestic violence laws.

[SB 51](#) (BR 840) - [T. Buford](#), [K. Stein](#)

AN ACT relating to child booster seats.

Amend KRS 189.125 to apply the child booster seat requirement to children who are both under the age of 8 years and shorter than 57 inches in height.

[SB 57/LM/CI](#) (BR 56) - [R. Jones II](#)

AN ACT relating to shock probation.

Amend KRS 439.265 to prohibit shock probation if the defendant has been convicted of either manslaughter or reckless homicide and also received a conviction for driving under the influence arising from the same incident.

[SB 65/LM](#) (BR 855) - [J. Denton](#)

AN ACT relating to consumer protection.

Create a new section of KRS Chapter 367 relating to consumer protection to prohibit business solicitation within 30 days following a motor vehicle accident, provide exceptions, and establish penalty; amend KRS 21A.310 to conform.

[SB 68/LM](#) (BR 872) - [R. Jones II](#)

AN ACT relating to the solicitation of accident and disaster victims.

Repeal and reenact KRS 21A.300 as a new section of KRS Chapter 367 to prohibit the solicitation of disaster and accident victims for the first 30 days following the disaster or accident; repeal KRS 21A.310 and 21A.320.

[SB 77](#) (BR 868) - [R. Jones II](#)

AN ACT relating to personal identification cards.

Amend KRS 186.412 to allow holders of personal ID cards who have been diagnosed with autism spectrum disorder to receive a sticker identifying that condition to place on the ID card; require payment of \$1 fee to obtain sticker.

[SB 79](#) (BR 241) - [J. Pendleton](#)

AN ACT relating to the operation of commercial motor vehicles.

Amend KRS 186.050 to establish a three tiered weight classification system for farm trucks, consisting of the following categories: under 26,000 pounds, 26,001 to 38,000 pounds, and over 38,000 pounds; amend KRS 281.010 to clarify the definition of "interstate commerce"; amend KRS 281.011 to exempt farm trucks registered under KRS 186.050(4) from the definition of "motor carrier"; amend KRS 281.605 to specify that vehicles exempted from the chapter except for safety regulations shall not be required to obtain a US DOTE number or similar number from the Transportation Cabinet; amend KRS 281.600 to clarify that the Department of Vehicle Regulation's regulatory authority

extends to motor carrier transportation and limit certain regulatory authority of the cabinet; amend KRS 281.730 to define Kentucky's planting and harvesting season as being year round for the purposes of providing a limited exemption to farm truck operators regarding hours of service reporting and limits.

[SB 81](#) (BR 916) - [D. Seum](#)

AN ACT relating to metal detectors in state parks.

Create a new section of KRS Chapter 148 to define "metal detector" and "public area"; allow use of metal detectors in public areas; require registration of use of metal detector within state park or monument office; amend KRS 148.991 to provide a penalty for violation.

[SB 97](#) (BR 1164) - [P. Clark](#)

AN ACT relating to public protection.

Amend KRS 61.315 to add that the spouse or dependents of an "emergency responder" of a nonprofit ambulance service under KRS Chapter 311A are eligible for in-the-line-of duty state death benefits; require the promulgation of administrative regulations; clarify "federal active duty"; amend KRS 164.2842 to provide that dependents of those eligible under KRS 61.315(1) are eligible for free tuition at state-supported schools; amend KRS 346.155 to provide that dependents of those eligible under KRS 61.315(1) are eligible to receive a lump-sum payment if the dependants are not eligible for death or disability benefits under a pension plan.

[SB 99](#) (BR 846) - [P. Clark](#)

AN ACT relating to charitable gaming and making an appropriation therefor.

Amend various sections of KRS Chapter 238 to extend the definition of "charitable gaming" to include slot machines and electronic, computer, or other technologic aids; delete the limited duration requirement for charity fundraising events; extend the definition of "manufacturer" to include bingo paper and charity gaming tickets and the provision of electronic and computer devices; authorize the Department of Charitable Gaming to establish and implement standards for electronic systems of accounting and recordkeeping; allow the department to approve all electronic, computer, or other technologic aids; direct the department to issue temporary licenses to charitable organizations that have been in existence at least 3 years; permit denial of a license for intentionally making false or misleading statements; grant employees of the department authority to inspect the books and records of a licensed manufacturer or distributor; require a charity to be located in the county, or a contiguous county to the county, in which charitable gaming is conducted; lower the minimum percentage of adjusted gross receipts that must be retained for net receipts from 40% to 20%, and lower the percentages leading to various forms of licensee discipline accordingly; exclude listed costs when calculating the net receipt percentage; prohibit inaccurate reporting of the financial records of charitable gaming events; permit advertisement of linked bingo prizes in excess of \$5,000; require charitable organizations to obtain department approval prior to using any electronic, computer, or other technologic aid in the conduct of bingo; direct the department to promulgate administrative regulations concerning linked bingo games; limit carryover or progressive prizes in seal card games to no more than \$7,500; modify the cash prize bingo limit from \$5,000 per event to \$5,000 per day; require records and books to be maintained in accordance with generally accepted standards of accounting and require a charity to maintain records for six years at its offices or at a location designated and approved by the department; require any charity participating in linked bingo games to use a point-of-sale system; permit the department to mandate electronically filed reports within six years; integrate any additional fees related to the operation of a charitable gaming facility into the basic licensing fee; prohibit certain activities by an owner, officer, or contractee of a licensed charitable gaming facility; forbid the receipt of a charitable gaming facility license unless the applicant has been in operation for at least the last 3 consecutive years; authorize penalties for making intentionally false or misleading financial statements; establish the racing charitable gaming fund as a trust and agency fund administered by the department; require a charitable gaming facility operated by a licensed racing association to remit 5% of its net receipts to the fund; distribute the fund moneys exclusively to licensed charitable organizations within six months after the end of each fiscal year, to be used solely for charitable purposes; direct the department to promulgate administrative regulations to determine the application process and method of distribution of payments from the fund; require that any examination and inspection of charitable gaming supplies and equipment take place away from the gaming floor to avoid the appearance of any form of harassment against game patrons; designate sanctions against individuals found to be the cause of one or more serious violations and define "serious violation"; establish requirements for appeals to administrative actions by the department; APPROPRIATION.

[SB 101/LM](#) (BR 1030) - [J. Denton](#)

AN ACT relating to crisis intervention team training.

Amend KRS 210.365 to delete the word "encounter" and replace it with "required police action" in the reference to interactions of law enforcement officers and persons with mental illness; establish that law enforcement officers shall report to their agencies required police action with persons with mental illness, mental illness and substance abuse disorders, mental illness and mental retardation, mental illness and developmental disabilities, and mental illness and dual diagnoses.

[SB 103/LM](#) (BR 899) - [K. Winters](#)

AN ACT relating to TVA and Breaks Interstate Park peace officers.

Amend KRS 61.886, 61.887, 61.888, and 61.889 to provide that commissions appointing Tennessee Valley police officers and Breaks Interstate Park police officers as Kentucky peace officers, and associated security bonds, are to be recorded in the Office of the Secretary of State; provide that TVA officers and Breaks Interstate Park officers commissioned as peace officers shall have authority upon or about property owned or leased by the TVA or Breaks Interstate Park; allow supplemental authority to be granted by the sheriff of any county in which the TVA or Breaks Interstate Park owns or controls property; allow peace officer authority to be extended during times of disaster or other emergency.

[SB 105](#) (BR 1339) - [J. Denton](#), [D. Harper Angel](#)

AN ACT relating to the protection of children in child-care facilities during emergencies.

Create a new section of KRS 199.892 to 199.896 to require a child-care center to have a written plan for evacuation in the event of fire, natural disaster, or other threatening situation; require the plan to be updated annually; require the plan to be provided to local emergency officials and parents; effective December 31, 2011.

[SB 106/LM/CI](#) (BR 1312) - [J. Rhoads](#), [W. Blevins Jr.](#), [D. Harper Angel](#), [R. Palmer II](#), [D. Parrett](#), [J. Pendleton](#), [D. Ridley](#), [T. Shaughnessy](#), [J. Turner](#)

AN ACT relating to controlled substances, including controlled substance precursors.

Create a new section of KRS Chapter 27A to require the Administrative Office of the Courts to report information relating to defendants convicted of offenses in KRS Chapter 218A relating to methamphetamine and thefts of anhydrous ammonia in KRS Chapter 514 and other specified violations to the Office of Drug Control Policy; create a new section of KRS Chapter 15A to require the Office of Drug Control Policy to institute a Precursor Block List as a part of the Kentucky Electronic Methamphetamine Precursor Tracking system to prohibit persons convicted of offenses stated above from purchasing ephedrine, pseudoephedrine, and phenylpropanolamine for not less than five years following conviction; amend KRS 218A.1437 relating to possession of methamphetamine precursors to reduce amount that may be possessed from 9 grams to 7 1/2 grams; create a new section of KRS Chapter 218A to specify that persons prohibited from making purchases of methamphetamine precursors may only possess them by means of a prescription; amend KRS 218A.1438 to add an affirmative defense and make a technical correction; reduce amount of methamphetamine precursors that may be purchased from 9 grams to 7 1/2 grams; amend KRS 218A.1446 relating to the purchase of ephedrine, pseudoephedrine, and phenylpropanolamine to block persons convicted of those offenses from purchasing or possessing these substances except by prescription and make these substances prescription drugs only for these persons; create a new section of KRS Chapter 439 to require the Parole Board to order the parolee to participate in the Precursor Block List and to refrain from purchasing methamphetamine precursors for five years after release from parole; create a new section of KRS Chapter 533 to place a defendant on probation, home incarceration, or conditional discharge on the Precursor Block List for five years; effective July 1, 2011.

[SB 113](#) (BR 1401) - [J. Turner](#)

AN ACT relating to outdoor recreation and tourism development and making an appropriation therefore.

Create new sections of KRS Chapter 148 to establish the Kentucky Mountain Trail Authority (KMTA) as an independent, de jure municipal corporation attached to the Kentucky Tourism, Arts and Heritage Cabinet for administrative purposes only; authorize the KMTA to establish the Kentucky Mountain Regional Recreation Area for tourism and outdoor recreation opportunities for residents and visitors; prioritize the development of trails and outdoor recreation on private lands, through agreements with willing landowners who would become participating landowners, with the KMTA; identify eighteen (18) eastern Kentucky counties which would be target counties for initial development of the KMTA; identify a process whereby target counties would become full participating counties in the authority and authorized to appoint two representatives, one from the governmental sector and one representing participating landowners, to serve on the KMTA board; establish a process whereby counties outside the target counties could fulfill requirements to become a participating county in the KMTA through one of the fifteen (15) area development districts (ADDs); require the chair of each ADD board to designate a county, which has fulfilled the requirements to become a "participating county" as the district's designated liaison county, which would serve on the KMTA's board; authorize the ADDs to assist counties throughout the state in planning and developing involvement with the KMTA; amend KRS Chapter 147A to authorize ADDs to provide assistance to counties interested in participating in the KMTA as part of the regular duties of the ADD board and staff; authorize KMTA board meetings and establish duties; authorize the KMTA board to adopt bylaws for governance; outline methods for appointing an executive director and hiring additional staff; establish that all personnel and operational costs of the corporation shall be paid from funds accruing to the corporation, through fees, grants, or other self-funding mechanisms; enable the authority to procure insurance, execute contracts, accept grants and loans, maintain an office, assess fees for trails, parking, and other trail-related recreational purposes, and to promulgate administrative regulations to govern the Kentucky Mountain Regional Recreational Area; authorize the board to hire trail rangers and establish experience and training requirements for rangers; establish procedures for the authority to issue revenue bonds and revenue refunding bonds; ensure that participating landowners are not liable for

willful negligence or similar damages; establish a framework for adopting administrative regulations for a penalty schedule for violations of trail laws and rules.

[SB 116](#) (BR 1568) - [E. Harris](#)

AN ACT relating to concealed deadly weapons.

Create a new section of KRS Chapter 527 to permit the county/judge executive and members of the fiscal court to carry a concealed deadly weapon in their own courthouse if they have a concealed deadly weapon license, except carrying in a Court of Justice courtroom while a judicial proceeding is in progress without permission from the presiding judge; prohibit peace officers and other persons from prohibiting or attempting to prohibit named county officers from carrying a concealed deadly weapon in their own courthouse.

[SB 119/LM](#) (BR 1107) - [T. Buford](#)

AN ACT relating to 911 emergency communications funding.

Create a new section of KRS 65.7621 to 65.7643 to require the Office of Homeland Security gather information on 911 emergency communications funding and report to the Legislative Research Commission by August 1 of each year; create a non-codified section to direct the Legislative Research Commission to create a task force to conduct a study of the funding of 911 emergency services in the Commonwealth; permit the task force to consult with the State Auditor's Office, the Commercial Mobile Radio Service Board, and any provider of emergency 911 services in the Commonwealth; provide that the task force may recommend to the General Assembly a uniform rate, set at a level no higher than the 911 surcharge rate in effect on 12/31/2010, to be collected and remitted by all end-users of voice communications services with access to 911 emergency in the Commonwealth; set forth what the recommendation shall be based upon; provide that the recommendations shall include methods and operational changes to improve cost and operating efficiencies, and any cost-saving measures that may be utilized by the PSAPs, which will not jeopardize public safety, including the feasibility and effectiveness of consolidating PSAPs; require the task force to report its findings and recommendations for funding emergency 911 services by December 1, 2011, or by an alternative date designated by the LRC.

[SB 122](#) (BR 1357) - [P. Clark](#)

AN ACT relating to campus police officers.

Amend KRS 164.9485, 164.950, 164.955, 164.960, 164.970, and 164.980 to identify a higher education campus police department and a safety and security department as separate entities; and amend KRS 164.955 to identify a campus police department as a public police department and its officers as public police officers.

[SB 123](#) (BR 1299) - [C. Gibson](#)

AN ACT relating to 911 emergency services and making an appropriation therefor.

Amend KRS 65.7621 to add new definitions; create new sections of KRS 65.7621 to 65.7643 to create the Kentucky 911 Emergency Communications Authority and establish the board of directors; amend KRS 65.7623 to provide the board of directors take over for the CMRS Board; amend KRS 65.7625 to establish an executive director of 911 emergency communications and provide that the director assist with the development of a next generation 911 strategy; amend KRS 65.7627 to establish the 911 fund to be made up of 911 service charges and prepaid wireless service charges; amend KRS 65.7629 to exempt from prepaid wireless services from the 911 service charge and make technical changes; amend KRS 65.7631 to make technical changes; amend KRS 65.7633 to require the board to establish procedures for the submission of a state 911 plan, including the development of a next generation 911 system; create a new section of KRS 65.7621 to 65.7643 requiring the board to recommend an equitable 911 funding procedure before July 1, 2012; amend KRS 65.7635 to conform; amend KRS 65.7635 to remove language relating to prepaid CMRS services, which will take effect on January 1, 2012; create a new section of KRS 65.7621 to 65.7643 to create definitions for this section, provide a mechanism for a 1.4% prepaid wireless service charge to be assessed at the point of sale of prepaid wireless telecommunications services; provide that sellers remit the prepaid wireless service charge to the Department of Revenue, which shall forward the funds to the Kentucky 911 Emergency Communications Authority; amend KRS 65.7639 and 65.7641 to conform; repeal KRS 39G.040; provide that Sections 11 and 12, relating to prepaid wireless service charges, are effective as of January 1, 2012.

[SB 127/LM/CI](#) (BR 943) - [J. Denton](#)

AN ACT relating to aviation security.

Amend KRS 527.010 relating to definitions for weapons chapter to add definitions relating to airports; create a new section of KRS Chapter 527 to require airport to post weapons possession prohibition warning signs; create a new section of KRS Chapter 527 to provide exceptions to possession of weapons on airport property; create a new section of KRS Chapter 527 to create the crime of unlawful possession of a weapon on airport facilities in the first degree, create a new section of KRS Chapter 527 to create the crime of unlawful possession of a weapon on airport facilities in the second degree; create a new section of KRS Chapter 527 to create the crime of unlawful possession of a weapon on airport property in the third degree; amend KRS 527.020 relating to carrying concealed deadly weapons to

prohibit judges and prosecutors with valid statewide concealed deadly weapon licenses from carrying a deadly weapon at airport facilities; create a new section of KRS Chapter 511 to create the crime of unlawful entry into an airport sterile area; create a new section of KRS Chapter 511 to create the crime of unlawful entry into an airport; amend KRS 525.060 relating to disorderly conduct to increase the penalty for the offense to a Class D felony when the act occurs on an aircraft; create a new section of KRS chapter 411 to presume that the purchase of a ticket constitutes consent to a search prior to entering a commercial or charter aircraft and prohibits suing the airline if denied boarding for refusal to be searched.

[SB 129/LM/CI](#) (BR 1296) - [W. Blevins Jr.](#)

AN ACT relating to crimes and punishments and declaring an emergency.

Create new sections of KRS Chapter 218A to ban possession, trafficking, or manufacture of 3,4-methylenedioxypyrovalerone and two related chemicals, which are the primary ingredients of a drug with a street name "dove"; amend KRS 218A.010 to ban additional named synthetic cannabinoids and piperazines; amend various other sections of KRS Chapters 217, 218A, and 530.064, relating to unlawful transaction with a minor; to conform; EMERGENCY.

[SB 134/LM](#) (BR 1145) - [J. Schickel](#)

AN ACT relating to service of process.

Amend KRS 454.140 relating to service of process in legal proceedings to require the Circuit Clerk to first direct all process to the sheriff, and then to other named officers; amend KRS 70.350 relating to service of process of constables to direct process to the sheriff first, and then to named persons including the constable; amend KRS 454.145 relating to a court appointing a person to serve process to require a court to first direct the process to the sheriff; repeal KRS 205.782 relating to service of process by constable in county containing a city of the first class; repeal KRS 421.135 relating to special bailiff to compel testimony of witness in felony case.

[SB 136/LM](#) (BR 1360) - [T. Buford](#)

AN ACT relating to urban county government retiree health benefits.

Amend KRS 67A.345 to require an urban-county government to pay the full health insurance premium for the spouse and dependent children of a retiree of the policemen's and firefighters' retirement fund and to remove restrictions matching retiree health insurance premium payments to the amount received by urban-county government employees.

[SB 141/LM/CI](#) (BR 1372) - [R. Jones II](#)

AN ACT relating to driving under the influence and making an appropriation therefor.

Amend KRS 189A.005 to expand the definition of "ignition interlock device"; amend KRS 189A.010 to include driving the wrong way on a four-lane highway among the list of factors for triggering aggravated DUI penalties; amend KRS 189A.070 to provide that a reduction in the time period of a license revocation does not lessen the time required for ignition interlock usage; amend KRS 189A.085 to run the period of a license plate impoundment from the date of sentencing to the day the offender is authorized to resume driving and require ignition interlock usage beginning with the first DUI offense; amend KRS 189A.340 to establish an assistance fund for indigent defendants; amend 189A.345 to establish penalties for operating a vehicle without a device when prohibited from doing so; create new sections of KRS Chapter 189A to establish the ignition interlock program, require the promulgation of administrative regulations, and allow a defendant who committed an offense prior to the effective date to elect to be governed by the Act; amend KRS 189A.410 to require ignition interlock usage while an offender is driving on a hardship license amend 186.572 to provide that penalty points assessed against a person's license shall expire only after participation in the interlock ignition program; amend 189A.090 to conform.

[SB 147](#) (BR 102) - [T. Jensen](#)

AN ACT relating to crimes and punishments.

Amend KRS 525.100 relating to public intoxication to make technical corrections relating to gender references; amend KRS 532.110 relating to the effect of multiple prison sentences to make technical corrections to change "must" to "shall" and use gender-neutral language.

[SB 158](#) (BR 1415) - [J. Higdon](#)

AN ACT relating to the sale of alcohol on Sunday.

Prohibit souvenir retail liquor sales on Sunday.

[SB 159/LM](#) (BR 1034) - [R. Jones II](#)

AN ACT relating to crimes and punishments.

Create a new section of KRS Chapter 431 to provide for expungement of one Class D felony or series of Class D felonies arising from a

single incident and the restoration of all rights of the defendant. The expungement is not available for a person convicted of a Class D felony involving a sex offense, controlled substances tracking offense, or an offense against a minor child; amend KRS 431.076 relating to expungement of records of persons found not guilty or against whom charges have been dropped add offenses where a person's case was referred to the grand jury and the grand jury did not indict the person within one year of the referral; amend KRS 17.142 relating to arrest records to conform; amend KRS 610.300 relating to records in juvenile public offense cases to conform.

[SB 161/LM/CI](#) (BR 364) - [T. Jensen](#)

AN ACT relating to the criminal justice system, making an appropriation therefor, and declaring an emergency.

Create a new section of KRS Chapter 532 to establish the sentencing policy of the Commonwealth; create a new section of KRS Chapter 196 to declare the primary objectives of the Department of Corrections; amend KRS 446.010 to add pertinent definitions; create a new section of KRS 218A to declare findings of the General Assembly regarding controlled substances and treatment; amend various sections of KRS Chapter 218A, relating to controlled substances, to define quantities and to otherwise modify elements of offenses and penalties; create a new section of KRS Chapter 218A to provide for pretrial release; create a new section of KRS Chapter 218A to allow deferred prosecution for possession cases; amend KRS 218A.275 and 218A.276 to permit risk and needs assessments for treatment and expungement of misdemeanor possession cases upon successful completion of treatment; create new sections of KRS Chapter 196 requiring the Department of Corrections to analyze savings from controlled substance modifications and use the savings for treatment, other evidence-based programs, and to expand programs at underused existing facilities; create a new section of KRS Chapter 26A, relating to the Court of Justice, to require the Supreme Court to administer a drug court program; amend KRS 532.080 to specify offenses to which persistent felony offender applies; amend KRS 197.020 to require the department to use a risk and needs assessment; amend KRS 439.3405 to clarify the circumstances for medical release from prison; amend and create various sections of KRS 439.250 to 439.560, relating to probation and parole, to require the use of risk and needs assessments, modify provisions relating to parole hearings, conditions, and deferment, and to require mandatory reentry supervision and postincarceration supervision; amend KRS 532.050, relating to presentence procedure, to require consideration of a risk and needs assessment; create a new section of KRS 439.250 to 439.560 to permit the Department of Correction to implement conditional parole of specified inmates to jails; amend KRS 532.100 to permit specified Class D felons to serve sentences at county jails; create a new section of KRS 439.250 to 439.560 to allow approval of any housing option for parolees that fulfills statutory requirements; create a new section of KRS 439.250 to 439.560 to specify approval of housing options for prisoners on parole or conditional release; amend KRS 532.260, relating to home incarceration, to add conditional release and allow for persons with 9 months or less to serve; create a new section of KRS Chapter 27A to require the Supreme Court to create guidelines for judges to use when considering pretrial release and monitored conditional release; create a new section of KRS Chapter 431 to allow requiring those on pretrial release to use GPS monitoring; amend KRS 431.015 to allow an officer to issue a citation instead of an arrest for specified misdemeanors; amend KRS 431.525 to set a maximum bail not to exceed the amount of fine and court costs for specified crimes; create a new section of KRS Chapter 431 to establish pretrial release and considerations for persons based on risk of flight and danger before trial and require credit toward bail based on time spent in jail before trial; create a new section of KRS Chapter 27A to require the Supreme Court to use evidence-based programs; create a new section of KRS Chapter 196 to require the Department of Corrections to promulgate regulations regarding the use of evidence-based practices for treatment and supervision programs; create new sections of KRS 439.250 to 439.560 to require the Department of Corrections to use evidence-based practices for treatment and supervision programs and to train their employees in the implementation and use of those practices, report on the efforts to implement evidence-based practices, administer a risk and needs assessment upon entry into community supervision and at regular intervals, permit parolees to receive compliance credits, develop a system of graduated sanctions and related procedures, permit modification of probation, establish an administrative caseload supervision program, and require sanctions for failure to comply with conditions of supervision; create a new section of KRS Chapter 27A to require the Chief Justice to submit annual reports detailing various court statistics; amend KRS 196.031 to require additional information in the Justice Cabinet's report; create a new section of KRS Chapter 196 to require the Department of Corrections to create an online database with specified sentencing information; create new sections of KRS Chapter 196 to require the Department of Corrections to calculate savings from the new provisions and require savings to go into a fund; amend various sections of KRS Chapter 196 to permit the department to create community corrections pilot projects, require report, and to establish a fund; create new section of KRS Chapter 6, relating to the General Assembly, to require more information on fiscal impact statements; amend KRS 441.045 and 441.053 to require the use of the Medicaid rate in billing for jail prisoner medical and related costs; create and amend various other sections in KRS Chapter 441 to require a certificate of need before building a new local correctional facility; amend KRS 533.010 to require the court to consider a defendant's risk and needs assessment before sentencing; create a new section of KRS Chapter 534 to provide a credit for time spent in jail to apply to fines and costs; amend various sections of KRS Chapter 439 to make persons on postincarceration supervision subject to the authority of the Parole Board; amend KRS 532.043, relating to conditional discharge for sex offenses, to modify the supervision to postincarceration supervision and specify that persons on postincarceration supervision are subject to the authority of the Parole Board; provide for the implementation of a pilot project to supervise high-risk probationers; make an appropriation to the department to improve the Kentucky Offender Management System; amend various other sections to conform; EMERGENCY and DELAYED EFFECTIVE DATES.

[HB 1](#) (BR 71) - [L. Combs](#), [G. Stumbo](#), [J. Arnold Jr.](#), [L. Belcher](#), [J. Bell](#), [J. Carney](#), [M. Cherry](#), [L. Clark](#), [H. Collins](#), [T. Couch](#), [W. Coursey](#), [M. Denham](#), [T. Edmonds](#), [C. Embry Jr.](#), [J. Glenn](#), [J. Greer](#), [K. Hall](#), [R. Henderson](#), [M. Henley](#), [D. Horlander](#), [M. King](#), [Ji. Lee](#), [T. McKee](#), [T. Mills](#), [R. Nelson](#), [F. Nesler](#), [D. Osborne](#), [S. Overly](#), [M. Rader](#), [R. Rand](#), [J. Richards](#), [S. Riggs](#), [C. Rollins II](#), [S. Rudy](#), [K. Sinnette](#), [F. Steele](#), [J. Stewart III](#), [W. Stone](#), [T. Thompson](#), [J. Tilley](#), [D. Watkins](#), [B. Yonts](#)

AN ACT proposing to amend the Constitution of Kentucky relating to hunting, fishing, and harvesting wildlife.

Propose to amend the Constitution of Kentucky to create a right to hunt, fish, and harvest nonthreatened species using traditional methods; submit to the voters for approval or disapproval.

[HB 3/LM](#) (BR 115) - [M. Cherry](#), [R. Damron](#), [R. Adkins](#), [L. Clark](#), [M. King](#), [R. Nelson](#), [J. Stacy](#), [F. Steele](#), [G. Stumbo](#)

AN ACT relating to hiring unauthorized aliens.

Create a new section of KRS Chapter 337 to create define terms relating to bill; create a new section of KRS Chapter 337 relating to public agencies to require use of federal employment verification programs and prohibit hiring unauthorized aliens; create a new section of KRS Chapter 337 to require all contractors and subcontractors with public agencies to use federal employment verification programs, not hire unauthorized aliens, and provide sworn affidavits of compliance; create a new section of KRS Chapter 337 to provide for civil enforcement and canceling of contracts; permit courts to enjoin violations; require suspension from further public agency contracts for 5 years if employer is found to have hired unauthorized aliens.

[HB 11](#) (BR 4) - [S. Westrom](#)

AN ACT relating to promotional sampling of distilled spirits and wine.

Amend KRS 243.0305 to make the hours and days of operation for a souvenir retail liquor licensee subject to local ordinance; amend KRS 243.130, 243.154, and 243.170 to allow manufacturers, small farm winery wholesalers, and wholesalers to distribute wine or distilled spirits under a sampling license; amend KRS 244.050 to allow retail drink, retail package, and souvenir retail liquor licensees to give a customer 3 distilled spirit samples per day rather than 2 samples under a sampling license; permit a licensed distiller, wholesaler, small farm winery, or small farm winery wholesaler to acquire a sampling license; limit these sampling licensees to providing the standard size and number of complimentary samples of distilled spirits or wine per day to each customer during regular business hours at a retailer's licensed premises; authorize the sampling licensee or its agents, servants, or employees to address the customer and pour and serve samples at the retailer's premises; require retail licensees to sell the distilled spirits used for a complimentary sampling event at no more than the retail licensee's normal selling price; permit the retail licensee to bill on a per-event basis in the usual course of business; forbid a distiller from using its sampling license on its distillery premises unless it also holds a souvenir retail liquor license; prohibit a wholesaler, small farm winery, or small farm winery wholesaler from using its sampling license at its business premises if the premises is located in a dry territory; preclude a distiller, wholesaler, small farm winery, or small farm winery wholesaler sampling licensee from concurrently holding a distilled spirits sampling event and a wine sampling event at the same premises unless the Department for Alcoholic Beverage Control has approved the event in advance; authorize distiller licensees to give a consumer who is touring the distillery for educational purposes one complimentary sample of up to 1/2 ounce of un-aged product manufactured at the distillery premises; enable distiller, wholesaler, small farm winery, or small farm winery wholesaler sampling licensees to offer consumers branded nonalcoholic promotional items of nominal value in conjunction with a distillery or winery tour or a complimentary sampling event.

[HB 15/LM/CI](#) (BR 12) - [L. Belcher](#)

AN ACT relating to prescription drugs.

Create a new section of KRS Chapter 218A to make pseudoephedrine, ephedrine, and phenylpropanolamine prescription substances, make exemptions, and establish penalties for prohibited conduct; amend KRS 218A.1446, relating to the recording of pseudoephedrine transactions, to conform.

[HB 18/LM](#) (BR 22) - [L. Belcher](#)

AN ACT relating to the reporting of stolen items with vehicle identification numbers.

Create a new section of KRS Chapter 186 to require a law enforcement agency to enter a stolen item with a vehicle identification number into the NCIC database.

[HB 23](#) (BR 52) - [S. Santoro](#)

AN ACT relating to pawnbrokers.

Amend KRS 226.010 to define "pawnbroker," "pledgor," and "permitted user"; amend KRS 226.040 to expand registry requirements associated with pawn transactions, prohibit pawn transactions with persons unwilling or unable to provide required identification, and require submission of information to the Department of Kentucky State Police or contracted vendor; and create a new section of KRS Chapter 17 to require the Department of Kentucky State Police to establish or contract for the provision of pawn database services.

[HB 25/LM/CI](#) (BR 97) - [J. Jenkins](#)

AN ACT relating to crimes and punishments.

Amend KRS 508.025 relating to third degree assault to include an assault on an operator or passenger of a taxi, bus, or other passenger vehicle for hire within that offense; amend KRS 508.050 and 525.060 relating to menacing and disorderly conduct to increase the penalty for those offenses where the offense is committed against an operator or passenger of a taxi, bus, or other passenger vehicle for hire.

[HB 31/LM/CI](#) (BR 33) - [M. Harmon](#)

AN ACT relating to driving under the influence.

Amend various sections in KRS Chapter 189A, relating to driving under the influence, to restructure the existing penalties from a four-tiered structure to a three-tiered structure; expand the five-year look back window for prior offenses from 5 years to 10 years, and to allow forfeiture of motor vehicles used in a DUI if the operator's license had been previously suspended; amend KRS 281A.2102 to conform.

[HB 34](#) (BR 143) - [M. Rader](#), [A. Wuchner](#)

AN ACT relating to coroners.

Amend KRS 189.910, 189.920 and 189.940 to permit a coroner or deputy coroner to equip a private or public vehicle with red and blue lights and a siren with the permission of the legislative body of the county, urban-county, consolidated local government, or unified local government and to use the lights and siren only to respond to the scene of an emergency involving the reported death of a human being.

[HB 35/LM](#) (BR 131) - [J. Richards](#)

AN ACT relating to domestic violence.

Amend KRS 403.720 relating to domestic violence orders to include dating partners among the class of persons allowed to obtain domestic violence protective orders.

[HB 38](#) (BR 161) - [S. Santoro](#), [A. Webb-Edgington](#)

AN ACT relating to firearms, including ammunition and accessories for firearms.

Create new sections of KRS Chapter 237 relating to firearms, ammunition, and firearms accessories made in Kentucky, marked as made in Kentucky, and used in Kentucky to specify that these items, with specified exemptions, are exempt from federal law; name the law the "Kentucky Firearms Freedom Act".

[HB 41](#) (BR 98) - [K. Hall](#), [Ji. Lee](#)

AN ACT relating to emergency vehicles.

Amend KRS 189.920 relating to lights on emergency vehicles to permit publicly owned jail vehicles used for emergency purposes to use blue lights but not sirens; permit elected jailer or chief administrator of a jail without a jailer to use blue lights on one personal vehicle.

[HB 56](#) (BR 270) - [R. Crimm](#)

AN ACT relating to animals.

Amend KRS 525.125, 525.130, and 525.135 to forfeit ownership of animals involved in cruelty and torture cases and prohibit ownership or possession of animals of the same species for two years.

[HB 58/LM/CI](#) (BR 290) - [D. Keene](#)

AN ACT relating to driving under the influence and making an appropriation therefor.

Amend KRS 189A.005 to expand the definition of "ignition interlock device"; amend KRS 189A.010 to include driving the wrong way on a four-lane highway among the list of factors for triggering aggravated DUI penalties; amend KRS 189A.070 to provide that a reduction in the time period of a license revocation does not lessen the time required for ignition interlock usage; amend KRS 189A.085 to run the period of a license plate impoundment from the date of sentencing to the day the offender is authorized to resume driving and require ignition interlock usage beginning with the first DUI offense; amend KRS 189A.340 to establish an assistance fund for indigent defendants; amend KRS 189A.410 to require ignition interlock usage while an offender is driving on a hardship license.

[HB 59/LM](#) (BR 272) - [R. Crimm](#)

AN ACT relating to traffic control devices.

Create a new section of KRS Chapter 189 to require local governments that have installed speed bumps or speed humps on a roadway under its jurisdiction to denote the speed bumps or speed humps using a road sign or paint them so that they are clearly visible to persons traveling the roadway.

[HB 65](#) (BR 243) - [D. Ford](#)

AN ACT relating to energy drinks.

Create a new section of KRS Chapter 217 to prohibit the sale of energy drinks to children under 18 years of age; amend 217.015 to define the term "energy drink".

[HB 69/LM](#) (BR 67) - [T. Burch](#)

AN ACT relating to the reporting of deaths in nursing homes.

Create a new section of KRS 216 to require each long term care facility or hospice facility to require a designated reporter to report all deaths to the appropriate coroner or medical examiner within 24 hours, in the case of a resident dying while away from the facility the report is required within 24 hours of the facility receiving notification of the death; require coroners or medical examiners to accept the report and, upon finding reasonable cause to suspect death as a result of maltreatment, to continue the investigation as a coroner's case, as a police report or as a report to the appropriate Commonwealth's attorney; amend KRS 216B.990 to create a Class C misdemeanor for the first offense when a designated reporter fails to report a death and a Class B misdemeanor for subsequent offenses; create a fine of \$200 per week for long term care facilities that fail to designate an employee as the designated reporter; create a new section of KRS Chapter 431 to require the Attorney General to establish a Kentucky Multidisciplinary Commission on Adult Abuse and Neglect, require each investigation of a death in a nursing home to be conducted by a specialized multidisciplinary team, require local protocols to be developed in each county or by contiguous county groups specifying how state protocols are to be followed; amend KRS 216B.590 to require surveyors and investigators to undergo at least 2 hours of training surrounding evidence preservation following a death in a nursing home due to suspected abuse or neglect; create a new section of KRS chapter 216 to require each long term care facility to conduct a three hour Attorney General-approved training session every 2 years covering the prevention of adult abuse and neglect; amend KRS 209.990 to make failure to report the abuse or neglect of an adult a Class A misdemeanor.

[HB 71](#) (BR 267) - [R. Crimm](#)

AN ACT relating to the operation of vehicles on a highway.

Amend KRS 189.030 to require that headlamps on a vehicle shall be illuminated whenever the vehicle is being operated on a highway.

[HB 79](#) (BR 327) - [M. Denham](#)

AN ACT relating to transportation.

Amend KRS 189.030 to require illumination of headlights during any period of precipitation that necessitates the use of windshield wipers by motorists.

[HB 85](#) (BR 135) - [F. Steele](#)

AN ACT relating to dextromethorphan abuse.

Create new sections of KRS Chapter 218A to prohibit any person from possessing one gram or more of pure dextromethorphan or dextromethorphan that has been extracted from solid or liquid form; prohibit sale of products containing dextromethorphan as the only active ingredient to individuals younger than 18; from 7:00 a.m. to 10:00 p.m. require retail establishments to show a photo ID and sign a document stating the customer is older than 18 before purchase; after 10:00 p.m. and until 7:00 am require retail establishments to secure products such that only a supervisory person may access them; require a person to request the product, show a photo ID, and sign a document stating the customer is older than 18; establish penalties for violation.

[HB 97](#) (BR 397) - [S. Lee](#)

AN ACT relating to firearms, including ammunition and accessories for firearms.

Create new sections of KRS Chapter 237 relating to firearms, ammunition, and firearms accessories made in Kentucky, marked "made in Kentucky," and used in Kentucky to specify that these items are exempt from federal law; specify that the exemption does not apply to machine guns, silencers, exploding ammunition, and firearms with a bore of 1 1/2 inches; name law the "Kentucky Firearms Freedom Act."

[HB 101/LM](#) (BR 422) - [R. Palumbo](#)

AN ACT relating to the protection of adults.

Create a new section of KRS Chapter 209 to define the terms "adult" and "cabinet"; require the Cabinet for Health and Family Services to establish a registry of persons found to have abused, neglected, or exploited an adult; require an appeal process for persons against whom allegations have been substantiated by the cabinet, and prohibit a licensed or certified facility or program from employing a person on the registry; create a new section of KRS Chapter 216B to prohibit health care facilities and services licensed under KRS Chapter 216B from employing, contracting with, or accepting volunteer services from a person whose name appears on the registry; amend KRS 205.5606 to prohibit persons who provide services or supports from employing, contracting with, or accepting volunteer services from a person whose name appears on the registry; amend KRS 210.795 to prohibit an individual whose name appears on the registry from being a provider and to prohibit a provider from employing, contracting with, or accepting volunteer services from a person whose name appears on the registry.

[HB 104](#) (BR 405) - [R. Nelson](#)

AN ACT relating to drug offender information.

Create a new section of KRS Chapter 27A to require the Administrative Office of the Courts to establish a public Web site containing information on persons convicted of felony drug trafficking offenses and provide for removal of that information under specified circumstances.

[HB 106](#) (BR 393) - [M. Marzian](#), [J. Jenkins](#), [D. Owens](#), [S. Westrom](#)

AN ACT relating to civil rights.

Amend KRS 344.010 to include definitions for "sexual orientation" and "gender identity"; amend KRS 344.020, relating to the purpose of the Kentucky's civil rights chapter, to include a prohibition on discrimination because of sexual orientation and gender identity; amend KRS 344.025, 344.050, 344.060, 344.070, and 344.080, relating to prohibited discrimination in various labor and employment practices, to include sexual orientation and gender identity; amend KRS 344.100 and 344.110 to conform; amend KRS 344.120 and 342.140, relating to prohibited discrimination in places of public accommodation and advertisements therefor, to include sexual orientation and gender identity; amend KRS 344.170, 344.180, 344.190, 344.300, and 344.310, relating to the state and local human rights commissions, to include prohibition of discrimination on the basis of sexual orientation and gender identity in the scope of their powers and duties; amend KRS 344.680, 344.370, 344.380, and 344.360, relating to prohibited discrimination in certain housing, real estate, and other financial transactions, to include sexual orientation and gender identity; amend KRS 344.367, relating to prohibited discrimination in certain insurance sales, to include sexual orientation and gender identity; amend KRS 344.400, relating to prohibited discrimination in certain credit transactions, to include sexual orientation and gender identity; make various technical amendments; amend KRS 18A.095 to conform.

[HB 113/LM/CI](#) (BR 165) - [M. Harmon](#)

AN ACT relating to deadly weapons.

Create a new section of KRS Chapter 527 to permit persons over 21 who are not prohibited from possessing firearms to carry firearms openly or concealed and, specify permitted locations; amend KRS 527.020 relating to carrying concealed deadly weapons to eliminate the crime of carrying a concealed deadly weapon and, specify conditions for a peace officer carrying concealed deadly weapon; amend KRS 527.040 relating to possession of firearm or handgun by a convicted felon to update a federal agency reference and make a technical change; amend KRS 150.172 relating to hunting to permit carrying openly or concealed firearm for self-defense while hunting; amend KRS 237.102 to prohibit banning of possession or carrying of firearms during a disaster; amend KRS 237.106 relating to possession of firearms in vehicles to expand right to sue for violation of rights and, add a reference to elementary and secondary schools in exemptions.

[HB 114/LM](#) (BR 409) - [J. Wayne](#)

AN ACT relating to the destruction of firearms.

Create a new section of KRS Chapter 500 to provide that a firearm used in the commission of a homicide, fetal homicide, or assault against a peace officer or firefighter shall be destroyed upon the conclusion of the criminal proceeding; establish the procedure for certification of destruction; amend KRS 16.210, 16.220, 237.090, 500.090, and 527.060 to conform.

[HB 121/LM](#) (BR 88) - [J. Tilley](#)

AN ACT relating to crimes and punishments and declaring an emergency.

Create new sections of KRS Chapter 218A to ban possession, trafficking, or manufacture of 3,4-methylenedioxypyrovalerone the primary ingredient of a drug with a street name "dove"; amend various sections of KRS Chapters 217 and 218A and KRS 530.064 relating to unlawful transaction with a minor to conform; EMERGENCY

[HB 123](#) (BR 144) - [K. Flood](#)

AN ACT relating to status offenders.

Amend KRS 630.050 to require that persons filing juvenile status offense complaints provide certain supporting documentation for inclusion and presentation to the court; create a new section of KRS Chapter 630 to establish time frames for the expiration of valid court orders; amend KRS 610.265 and 630.010 to restrict the secure detention of status offenders; amend KRS 630.080 to clarify which agency is to provide the dispositional report to the court and the contents of that report; amend KRS 610.020, 610.030, and 610.060 to conform.

[HB 126/LM](#) (BR 27) - [M. King](#)

AN ACT relating to crimes and punishments.

Amend KRS 531.010 relating to pornography definitions to specify what constitutes lack of consent; amend KRS 531.090 relating to voyeurism to specify an alternate disposition of a case where the defendant is a minor and the offense is a first offense; amend KRS 531.100 relating to video voyeurism to specify an alternative disposition where a defendant is a minor and the offense is a first offense; amend KRS 531.340 relating to distribution of matter portraying a sexual performance by a minor to specify an alternative disposition where the defendant is a minor and the offense is a first offense; amend KRS 635.060 relating to dispositions in juvenile cases to specify that violations of listed statutes by a minor for a first offense are punishable by a fine and a community services work program; create a new section of KRS Chapter 531 to specify that a minor committing an offense specified in the Act shall only be charged with and punished using the alternative sentence when the offense is a first offense; amend KRS 216.302 relating to causing a suicide to specify that when transmitting an image of a minor causes that minor to commit suicide that it is a violation of this section.

[HB 130](#) (BR 185) - [K. Hall](#)

AN ACT relating to outdoor recreation and tourism development and making an appropriation therefor.

Create new sections of KRS Chapter 148 to establish the Kentucky Mountain Trail Authority (KMTA) as an independent, de jure municipal corporation attached to the Kentucky Tourism, Arts and Heritage Cabinet for administrative purposes only; authorize the KMTA to establish the Kentucky Mountain Regional Recreation Area for tourism and outdoor recreation opportunities for residents and visitors; establish the process by which counties participate in the authority and appoint representatives to serve on the board; authorize board meetings and establish duties; authorize the board to adopt bylaws for governance; outline methods for appointing an executive director and hiring additional staff; establish that all personnel and operational costs of the corporation shall be paid from funds accruing to the corporation, through fees, grants, or other self-funding mechanisms; enable the authority to procure insurance, execute contracts, accept grants and loans, maintain an office, assess fees for trails, parking, and other trail-related recreational purposes, and to promulgate administrative regulations to govern the Kentucky Mountain Regional Recreational Area; authorize the board to hire trail rangers; establish procedures for the authority to issue revenue bonds and revenue refunding bonds; ensure that participating landowners are not liable for willful negligence or similar damages; establish a framework for adopting administrative regulations for a penalty schedule for violations of trail laws and rules.

This Section 6 is included within the Bill – Michael Bischoff

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SECTION 6. A NEW SECTION OF KRS CHAPTER 148 IS CREATED TO READ AS FOLLOWS:

- (1) The board may appoint, for annually renewable terms of one (1) year, such persons or as many thereof as the board deems proper to be peace officers and policemen and shall give commissions to those appointed. Appointments and annual renewals of appointments under this subsection shall be subject to approval by the sheriff of each county in which the peace officer will normally operate, not including counties into which he may pursue and arrest persons under Sections 1 to 9 of this Act
- (2) Such commissions shall be recorded in the office of the county clerk of the counties in which the officer performs any duties as a KMRRA peace officer. No person shall be eligible for appointment and commission as a KMRRA peace officer unless he or she has established to the satisfaction of the board that, except for county residency requirements, he or she possesses the qualifications prescribed for nonelective peace officers by KRS 61.300 and, in addition, that he or she has been a resident of Kentucky for at least one (1) year at the time of his or her appointment.
- (3) Each KMRRA officer appointed and commissioned pursuant to this section, throughout every county in the KMRRA, shall have and exercise the powers of sheriffs and constables in making arrests for public offenses committed upon, about, or against such property or on public roads and the rights-of-way passing

through or over such property; and while in pursuit of a person fleeing from the property after committing an act of violence or destruction of the property, may pursue the person and make arrest anywhere in the Commonwealth; may serve process in prosecutions for such offenses; and shall be subject to all the liabilities of sheriffs or constables. Such power to arrest persons committing public offenses committed upon or about such property, roads, or rights-of-way shall exist whether such persons are found on or off such property, roads, or rights-of-way. Such KMTA officers shall also have authority to carry weapons for the reasonable purposes of their offices and in performance of their assigned duties.

(4) When the KMTA no longer needs the services of a person appointed and commissioned as a KMTA peace officer pursuant to this section, notice to that effect signed by the person having responsibility for general supervision of the work of such officer, may be filed in the several offices in which the commission of such officer is recorded. The county clerk shall note the fact upon the margin of the record where the commission is recorded, and thereupon the power of the person to act as a KMTA peace officer shall cease as to any particular county in which such notice is filed and recorded.

(5) Each KMTA peace officer appointed pursuant to this section shall, before he or she enters upon the discharge of the duties of his or her office, execute bond in the sum of fifty thousand dollars (\$50,000), with good security, conditioned upon the faithful performance of his or her duty as such officer, and take and subscribe an oath of office and the oath required by Section 228 of the Constitution of Kentucky. The bond shall be executed before the board, and the bond shall be approved, and the oath administered, by the board's chair. The bond and oath shall be entered of record by the county clerks of the authority's participating counties. In lieu of such individual bonds, a duly executed bond covering all KMTA peace officers appointed and commissioned pursuant to this section, as principals, with the KMTA as surety, in the amount of fifty thousand dollars (\$50,000) for each officer and conditioned for the performance of their duties may be filed by KMTA with the Secretary of State of the Commonwealth in which event individual bonds shall not be required. Certified copies of such bonds shall be recorded with each county clerk of the authority's participating counties.

(6) The compensation of the KMTA peace officers appointed and commissioned pursuant to this section shall be fixed and paid by the board.

(7) Each KMTA peace officer appointed and commissioned pursuant to this section shall, while on duty, wear a badge or shield identifying him or her as an employee of the KMTA. When acting as a detective in the service of the KMTA as an employee in the performance of his or her assigned duties, he or she may wear his or her badge, shield, or weapon concealed. Each KMTA peace officer may, while on duty, wear such other insignia and identification, including uniform, as will plainly indicate to the public that he or she is a KMTA peace officer.

(8) The keepers of jails in any county or municipality, wherein the violation occurs for which an arrest is made by a KMTA peace officer, shall receive all persons arrested by such officers to be dealt with according to law, and persons so arrested shall be received by keepers of jails on the same basis and shall have the same status as prisoners arrested by any other police officer.

(9) Until such time as the KMTA has resources and regulatory programs established to hire KMTA peace officers, the board may enter into agreements with the sheriff's offices of participating counties to enforce rules adopted by the board or to implement administrative regulations adopted by the board, pursuant to KRS Chapter 13A.

[HB 148/LM/CI](#) (BR 324) - [M. Denham](#)

AN ACT relating to crimes and punishments.

Amend KRS 500.080 to include a loss of consciousness within the definition of "physical injury."

[HB 152/LM](#) (BR 378) - [J. Jenkins](#), [T. Burch](#), [M. Marzian](#), [J. Wayne](#)

AN ACT relating to the safe disposal of prescription medications and making an appropriation therefor.

Create new sections of KRS 224.50 to define "cabinet" "department" "permanent drop off box" "Prescription drugs and medicines" "prescription drug recycling" "safe drop off drugs program" and "secure collection site;" require the Energy and Environment Cabinet to work with waste coordinators and city, county, and sheriffs offices to establish a prescription drugs drop off program; make the contents of the box that receives the prescription drugs and medicines the property of the cabinet; require the cabinet to develop the rules and procedures for the collection of the prescription drugs and medicines, the method for haulers to pick up and dispose of the wastes and the method of disposal for prescription drugs and medicines to ensure they do not leach into the waters of the Commonwealth; require the cabinet to work with pharmaceutical companies to develop a prescription drug and medicine recycling program; require police officers of the city, county or sheriff's office participating in the program to determine the secure collection site within the police station, post signage for the public, monitor the prescription drugs and medicines deposited into the permanent box and inform the cabinet of pick up needs; amend KRS 224.43-310 to require the cabinet to include a description of cities and counties participating in the safe drop off drugs program in the solid waste management report to the Legislative Research Commission and the Governor; amend KRS 224.43-315 to require counties to report to the cabinet on participation in the safe drop off drugs program; amend KRS 224.43-505 to allow a portion of the remediation fee to go for grants for the safe drop off drugs program; include the safe drop off drug program grants under the general solid waste grant requirements; and amend KRS 224.43-710 to include a safe drop off drugs program under the list of eligible types of technical assistance from the cabinet.

[HB 156/LM](#) (BR 486) - [J. Jenkins](#)

AN ACT relating to cruelty to animals.

Amend KRS 525.130, relating to cruelty to animals, to define "shelter" and establish shelter and shade requirements for dogs.

[HB 157/LM](#) (BR 475) - [J. Jenkins](#)

AN ACT relating to animal impoundment.

Create new sections of KRS 258 to define "animal control officer" "humanely destroy" and "reasonable expenses"; allow animal control officers to take physical custody of an animal if there is probable cause or the officer has a warrant finding probable cause to believe that the animal is in imminent harm, cruelly treated or tortured; require the animal control officer to file a petition of facts with the District Court 96 hours after taking custody of the animal and request action by that same court; allow the animal to be humanely destroyed if a licensed veterinarian deems the animal to be severely injured or diseased; require the District Court to place the petition on the docket and issue a summons for the owner or person caring for the impounded animal; require the court to determine physical custody of the animal pending a final decision of the court on the question of animal cruelty or torture; provide a method for the owner to be noticed of animal's custody if the court could not determine the animal's ownership; require the owner to relinquish ownership after court order or post a surety bond for the care of the animal pending final disposition of the case; allow the court to waive bond if the owner is found indigent; allow the court to order the animal humanely destroyed upon written assessment by a licensed veterinarian; allow agent caring for the impounded animal to draw on the bond for care expenses and provide method for return of unused portion of bond.

[HB 158](#) (BR 44) - [G. Stumbo](#)

AN ACT proposing to amend the Constitution of Kentucky relating to hunting, fishing, and harvesting wildlife.

Propose to amend the Constitution of Kentucky to create a right to hunt, fish, and harvest non-threatened species of wildlife using traditional methods; submit to the voter for approval or disapproval.

[HB 160/LM](#) (BR 152) - [M. Harmon](#)

AN ACT relating to death investigations.

Amend KRS 72.280 to require the state medical examiner to prepare an informational pamphlet for citizens explaining the process of a death investigation and the means by which additional private medical testing may be done.

[HB 163/LM](#) (BR 219) - [J. Wayne](#), [M. Marzian](#), [T. Burch](#), [K. Flood](#), [J. Jenkins](#), [R. Palumbo](#)

AN ACT relating to the operation of motorcycles.

Amend KRS 189.285 to require the use of protective headgear for any person who operates or rides as a passenger on a motorcycle.

[HB 174/LM](#) (BR 458) - [J. Glenn](#)

AN ACT relating to 911 emergency services and making an appropriation therefor.

Amend and create various sections of KRS Chapter 65 to add definitions; create the Kentucky 911 Emergency Communications Authority; establish a board of directors to manage the authority; establish an executive director of 911 emergency communications and change duties to include next generation 911 and reflect other technical changes; establish the Kentucky 911 fund; change the duties of the

board to reflect needs of next generation 911 system; include new items to be implemented by administrative regulation by the board; require the board to gather information on 911 funding procedures on or before July 1, 2012; establish a 911 service charge; make technical changes required by the transition to a next generation 911 system; include regulations that local governments must follow with regard to use of 911 funds collected under KRS 65.760; amend KRS 39G.040 to conform.

[HB 175](#) (BR 35) - [T. Kerr](#)

AN ACT relating to civil actions involving the termination of parental rights.

Amend KRS 625.070 to provide that service of process is not required upon a parent who placed the child with an emergency medical services provider, police station, fire station, or hospital under the provisions of KRS 405.075.

[HB 177](#) (BR 366) - [T. Kerr](#)

AN ACT relating to fireworks.

Create a new section of KRS Chapter 227 to require reporting the storage of consumer fireworks to the local fire chief in the jurisdiction where the storage facility is located; amend KRS 227.700 to redefine "fireworks"; amend KRS 227.702 to define "consumer fireworks"; amend KRS 227.704 to conform; amend KRS 227.706 to define "display fireworks"; amend KRS 227.710 to define "competent display operator" and establish requirements for the operation of a fireworks display; amend KRS 227.715 to permit permanent business establishments that sell consumer fireworks as a secondary course of business to only sell those described in 227.702(1); require seasonal stands and businesses selling fireworks year round as primary source of business to acquire wholesale/retail license from and register with state fire marshal; permit fire marshal to assess fee not to exceed \$250; prohibit the sale of consumer fireworks near an open flame or gas or electric cooking devices, or where paints, oil, varnishes or butane lighters are sold; permit the possession and use consumer fireworks; establish restrictions for use.

[HB 180/LM](#) (BR 809) - [T. Moore](#), [J. Greer](#)

AN ACT relating to peace officers.

Amend KRS 61.365 relating to federal peace officers who have been granted Kentucky peace officer powers to add the United States Mint Police and restrict their jurisdiction.

[HB 181/LM](#) (BR 811) - [T. Moore](#), [B. Housman](#)

AN ACT relating to civil liability for emergency care.

Amend KRS 411.148, relating to the "Good Samaritan" law and nonliability for emergency care, to apply the law to all persons rendering care without remuneration, rather than to named persons; repeal KRS 311A.150.

[HB 184/LM](#) (BR 357) - [A. Koenig](#), [K. Flood](#)

AN ACT relating to the Kentucky Law Enforcement Foundation Program Fund.

Amend KRS 15.460 and 15.470 to provide that police officers receiving the Kentucky Law Enforcement Foundation Program fund salary supplement shall continue to receive the supplement when called to active duty with the United States Armed Forces.

[HB 191](#) (BR 412) - [D. Butler](#), [J. Wayne](#)

AN ACT relating to disabled parking.

Create a new section of KRS Chapter 198B to require publicly owned parking lots with over five hundred parking spaces to maintain at least one extra van-only disabled parking space for each five hundred spaces in the lot above the Uniform State Building Code requirements; amend KRS 198B.990 to provide penalties for violations.

[HB 193/LM](#) (BR 417) - [S. Westrom](#), [D. Watkins](#), [B. Farmer](#), [J. Jenkins](#), [M. Marzian](#), [D. Owens](#), [G. Stumbo](#), [J. Wayne](#)

AN ACT prohibiting smoking in all public places and places of employment.

Create new sections of KRS Chapter 217 to state findings and purpose; define terms; prohibit smoking in enclosed public places or enclosed places of employment; prohibit smoking within reasonable distances outside of public places and places of employment; require no smoking signs to be posted; require all sleeping quarters of all hotels and public accommodations that are rented to guests to be smokefree; require the prohibition on smoking in a place of employment to be communicated to employees; permit more restrictive smoking policies in enclosed and outdoor places; prohibit a less restrictive interpretation of prohibition on smoking; require the Department for Public Health to promulgate administrative regulations to implement the provisions of this Act including issuing citations, assessing and collecting fines, taking public complaints, and holding public hearings; require the department, local health departments, city managers, county

administrators, and their designees to enforce the smoking prohibitions; require an owner, manager, operator, or employee of a public place or place of employment to direct a person who is smoking to extinguish the product being smoked, refuse them service, ask them to leave if they do not, and contact law enforcement if they refuse to leave; require an employer to direct an employee who is smoking to extinguish the product, ask them to leave if they do not, and contact law enforcement if they refuse to leave; permit a private citizen to bring legal action to enforce the provisions of this Act; permit application for injunctive relief to enforce the provisions of this Act; prohibit retaliation for exercising rights, reporting, or prosecuting under this Act and fine \$1,000 for each violation; set fines of \$100 for a first violation and \$250 for each subsequent violation for smoking in a prohibited area; set fines of \$250 for a first violation, \$500 for a second violation within 1 year of the first, and \$2,500 for each additional violation within 1 year of the first for permitting smoking in a public place or place of employment where smoking is prohibited by this Act; require 50% of collected fines to be allocated to the department and 50% to the enforcing agency; declare the provisions of this Act to be liberally construed and severable; permit this Act to be cited as the Smokefree Kentucky Act.

[HB 210/LM](#) (BR 885) - [T. Burch](#)

AN ACT relating to the operation of a motor vehicle and making an appropriation therefor.

Create a new section of KRS Chapter 186 to require the Transportation Cabinet to issue every holder of an instructional permit two decals; require every holder of an instructional permit, when operating a motor vehicle, to affix decals issued to the vehicle; require the Transportation Cabinet to promulgate administrative regulations to prescribe the manner in which the decals are to be displayed; amend KRS 186.450 to require that holders of instructional permits comply with the displaying of decals when operating a motor vehicle; establish a delayed effective date of January 1, 2012.

[HB 216/LM](#) (BR 845) - [G. Stumbo](#)

AN ACT relating to children in motor vehicles.

Create a new section of KRS Chapter 189 to prohibit smoking in a motor vehicle containing a child under the age of 17; amend KRS 189.990 to establish penalties effective January 1, 2012; set the fine for violation at \$25 for the first offense and \$50 for each subsequent offense; provide for a probationary period ending January 1, 2012, during which courtesy warnings will be issued.

[HB 219](#) (BR 911) - [R. Palumbo](#)

AN ACT relating to minors on premises where alcoholic beverages are sold or consumed.

Amend KRS 244.085 to allow a person who is 18 to 21 years of age and employed as a musician or technician with a band or musical group to remain on the premises where alcoholic beverages are sold or consumed if the band or group has a verbal or written contract to perform that night.

[HB 227/LM](#) (BR 847) - [M. Cherry](#)

AN ACT relating to criminal history record checks.

Create a new section of KRS Chapter 17 to provide that any person may request the Department of Kentucky State Police to conduct a background check on that person through a name-based or fingerprint-supported search; establish search prerequisites and limitations.

[HB 229/LM/AA](#) (BR 425) - [M. Cherry](#)

AN ACT relating to public employees.

Amend KRS 15.400 to increase the maximum break in employment before loss of Peace Officer Professional Standards (POPS) certification from 60 to 100 days for those peace officers who were deemed to have met the standards by virtue of employment on December 1, 1998 and to provide individuals who retired with POPS certification on or after July 1, 2008, who are reemployed with a law enforcement agency within 100 days following the effective date of this Act with automatic POPS certification; amend KRS 18A.205 to provide that a retiree who has been reemployed in a full-time position within state government on or after September 1, 2008, shall be eligible for life insurance benefits; amend KRS 61.510 and 78.510 to provide that the retirement systems shall add one or more fiscal years to the final compensation calculation for employees participating in the Kentucky Employees Retirement System or the County Employees Retirement System on or after September 1, 2008, if the member does not have five complete fiscal years of service upon retirement; amend KRS 61.637 to make technical changes.

[HB 233](#) (BR 1125) - [J. Jenkins](#)

AN ACT relating to criminal conviction records.

Create a new section of KRS Chapter 27A to require the Administrative Office of the Courts to publish a Web site containing specific information concerning persons convicted of criminal conduct; provide for exceptions.

[HB 236/AA](#) (BR 1126) - [J. Jenkins](#), [M. Nemes](#)

AN ACT relating to emergency personnel and making an appropriation therefor.

Amend KRS 95A.250 to increase the supplement that a local government may receive annually for each qualified professional firefighter it employs to \$3,500; include emergency medical technicians and paramedics that are certified by the Kentucky Board of Emergency Medical Services and employed by a local government in the supplement; amend KRS 95A.260 to allow funds to be used for supplements given to emergency medical technicians and paramedics certified by the Kentucky Board of Emergency Medical Services and employed by a local government; amend KRS 95A.262 to increase the aid given to qualifying volunteer fire departments to \$10,000; APPROPRIATION.

[HB 240/LM](#) (BR 881) - [A. Simpson](#)

AN ACT relating to restraining orders upon conviction of a sexual offense.

Create a new section of KRS Chapter 510, relating to sex offenses, to provide that a conviction of a felony offense under the chapter operates as an application for a restraining order prohibiting contact with the victim, unless the victim requests otherwise; provide the defendant with notice of his or her right to request a hearing on the restraining order; provide for the time of the hearing; provide for contents of the order; provide for modification of an order upon petition of the victim or defendant; provide for a modification hearing; provide for entering an order into the KSP LINK computer system; provide civil and criminal immunity for law enforcement officers acting in good faith in enforcing an order; provide for nondisclosure of a victim's personal information; provide that violation of an order is a Class A misdemeanor.

[HB 242](#) (BR 1166) - [M. Denham](#), [T. Pullin](#)

AN ACT relating to metals.

Amend KRS 433.890 relating to the purchase of metals by recyclers to require signed proof of ownership or authorization to sell any metal which has been smelted, burned, or melted.

[HB 251/LM/CI](#) (BR 1026) - [A. Koenig](#)

AN ACT relating to correctional programs.

Amend KRS 197.045 relating to good time credit for state inmates, to provide a 90 day good time credit for an inmate who completes a civics education program and passes an examination thereon.

[HB 254/LM](#) (BR 1127) - [D. Graham](#)

AN ACT relating to law enforcement training.

Amend KRS 15.334 to establish that the enforcement and service of orders of protection shall be a required training subject taught to all students attending a law enforcement basic training course and for all certified peace officers attending a required two-year training course provided by the Justice and Public Safety Cabinet; and provide that the statute shall be known and may be cited as "Cole's Law."

[HB 261](#) (BR 1136) - [A. Simpson](#)

AN ACT relating to police and fire department members.

Amend KRS 95.440 to remove age limitation requirement for police or fire department members in a city of the second class or urban-county government.

[HB 262](#) (BR 914) - [D. Keene](#)

AN ACT relating to motor vehicle accident reports.

Amend KRS 189.580 and 189.635 to prohibit the inclusion of a person's Social Security number on a motor vehicle accident report.

[HB 268/AA](#) (BR 904) - [M. Meredith](#)

AN ACT relating to the Firefighters Foundation Program fund and making an appropriation therefor.

Amend KRS 95A.250 to increase the annual payment derived from the Firefighters Foundation Program fund to qualified professional firefighters from \$3,000 to \$3,500; amend KRS 95A.262 to increase the annual payment to qualified volunteer fire departments from \$8,250 to \$10,000.

[HB 272](#) (BR 876) - [R. Adams](#), [M. Rader](#), [S. Santoro](#)

AN ACT relating to peace officer certification and declaring an emergency.

Amend KRS 15.400 to increase the maximum break in employment before loss of Peace Officer Professional Standards (POPS) certification from 60 to 100 days for those peace officers who were deemed to have met the standards by virtue of employment on December 1, 1998; provide individuals who retired with POPS certification on or after July 1, 2008, who are reemployed with a law enforcement agency within 100 days following the effective date of this Act with automatic POPS certification; EMERGENCY.

[HB 274/LM](#) (BR 1054) - [D. Owens](#), [D. Floyd](#), [T. Burch](#), [R. Crimm](#), [K. Flood](#), [M. Marzian](#), [R. Meeks](#), [M. Nemes](#)

AN ACT relating to mental illness.

Amend KRS 532.130, relating to definitions for criminal case defenses, to define "severely mentally ill defendant"; amend KRS 532.135, relating to defenses in criminal cases, to include a severely mentally ill defendant; amend KRS 532.140, relating to the prohibition against executing a seriously mentally retarded defendant, to also prohibit the execution of a severely mentally ill defendant after the effective date of this Act.

[HB 275](#) (BR 994) - [T. Kerr](#)

AN ACT relating to temporary motor vehicle tags.

Amend KRS 186A.100 to make temporary registration tags issued by the county clerk valid for 60 days rather than 30 days.

[HB 277/LM](#) (BR 942) - [R. Crimm](#)

AN ACT relating to welfare of animals.

Amend KRS 257.192 to change the name of the Animal Control Advisory Board to the Animal Care Advisory Board; amend 258.095 to change the name of the Animal Control Advisory Board; amend KRS 258.117 to authorize the Animal Care Advisory Board to establish standards for the humane care of animals in publicly funded animal shelters, make policy recommendations on animal welfare and upgrade of animal shelters to the General Assembly, require audits of shelters receiving funds from the Animal Control and Care Fund, and establish performance standards to improve rates of animal adoption and reduce rates of euthanasia; amend KRS 258.119 to require all publicly funded shelters to establish an animal control and care program that meets the Animal Care Advisory Board's minimum standards; and amend KRS 436.605 to allow peace officers, animal control officers and agents of humane societies employed, appointed or contracted with a city or county for animal control services that have the peace officer powers under KRS 61.300 to enter premises without a warrant under reasonable suspicion of animal cruelty, mistreatment, or torture.

[HB 281/LM/CI](#) (BR 933) - [L. Belcher](#), [M. Marzian](#), [L. Combs](#)

AN ACT relating to controlled substances.

Amend KRS 218A.110 to make ephedrine, pseudoephedrine, and phenylpropanolamine or their salts, isomers, and salts of isomers a Schedule IV controlled substance; amend KRS 218A.180 relating to dispensing and prescriptions by practitioners to prohibit a practitioner from dispensing more than 9 grams of ephedrine, pseudoephedrine, or phenylpropanolamine and their salts, isomers, or salts of isomers to an ultimate user in a 30-day period, prohibit a prescription for more than 9 grams of product, prohibit refilling a prescription prior to the expiration of 30 days from the prior prescription; repeal KRS 218A.1446 relating to over-the-counter sales of ephedrine, pseudoephedrine, and phenylpropanolamine.

[HB 289](#) (BR 938) - [H. Collins](#)

AN ACT relating to the operation of a motor vehicle.

Amend KRS 189.960, regarding yielding the right-of-way to public safety vehicles, to clarify statutory references; amend KRS 189.394, regarding fines for speeding, to include violations over a 70 MPH speed limit to the fine table.

[HB 292/CI](#) (BR 1297) - [T. Burch](#), [M. Marzian](#)

AN ACT relating to the abolition of the death penalty.

Create a new section of KRS Chapter 532 to abolish the death penalty and require the court with jurisdiction over a person sentenced to death to sentence the person to imprisonment for life without benefit of probation or parole; amend KRS 24A.110, 27A.430, 431.060, 431.215, 431.510, 439.265, 506.010, 506.030, 506.040, 506.080, 507.020, 509.040, 520.120, 527.200, 532.030, 532.040, 532.050, 532.100, 532.140, 533.010, 610.265, 635.020, 635.090, 640.040, 17.176, 507A.020, and 422.285 to conform; repeal KRS 422.287, 431.213, 431.2135, 431.218, 431.220, 431.223, 431.224, 431.240, 431.250, 431.260, 431.270, 507A.060, 532.025, 532.075, 532.300, 532.305, and 532.309, relating to the death penalty.

[HB 295/LM](#) (BR 1314) - [B. Yonts](#), [J. Gooch Jr.](#)

AN ACT relating to controlled substances, including controlled substance precursors.

Create a new section of KRS Chapter 27A to require the Administrative Office of the Courts to report information relating to defendants convicted of offenses in KRS Chapter 218A relating to controlled substances and thefts of anhydrous ammonia in KRS Chapter 514 and other specified violations to the Office of Drug Control Policy; create a new section of KRS Chapter 15A to require the Office of Drug Control Policy to institute a Precursor Block List as a part of the Kentucky Electronic Methamphetamine Precursor Tracking system to prohibit persons convicted of offenses stated above from purchasing ephedrine, pseudoephedrine, and phenylpropanolamine for not less than five years following conviction; amend KRS 218A.1437 relating to possession of methamphetamine precursors to reduce amount that may be possessed from 9 grams to 7 1/2 grams; create a new section of KRS Chapter 218A to permit persons prohibited from purchasing methamphetamine precursors to possess them under a prescription; amend KRS 218A.1438 to add an affirmative defense and make a technical correction; reduce amount of methamphetamine precursors that may be purchased from 9 grams to 7 1/2 grams; amend KRS 218A.1446 relating to the purchase of ephedrine, pseudoephedrine, and phenylpropanolamine to block persons convicted of those offenses from purchasing or possessing these substances except by prescription and make these substances prescription drugs only for these persons; create a new section of KRS Chapter 439 to require the Parole Board to order the parolee to participate in the Precursor Block List and to refrain from purchasing methamphetamine precursors for five years after release from parole; create a new section of KRS Chapter 533 to place a defendant on probation, home incarceration, or conditional discharge on the Precursor Block List for five years; effective July 1, 2011.

[HB 297](#) (BR 1130) - [K. Bratcher](#)

AN ACT relating to status offenders.

Amend KRS 610.200 to allow a peace officer to release a truant child to the child's school; amend KRS 630.030 to allow a peace officer to detain a truant child; amend KRS 630.040 to conform.

[HB 300](#) (BR 867) - [B. Farmer](#)

AN ACT relating to extradition.

Amend KRS 440.380 to provide that, in addition to a county judge/executive, the mayor of a consolidated local government or an urban-county government may authorize an officer to retrieve a fugitive that has waived extradition.

[HB 308](#) (BR 1014) - [R. Damron](#)

AN ACT relating to implementation of the National Instant Criminal Background Check System Improvements Act of 2007.

Create a new section of KRS Chapter 237 to establish a procedure where a person who has been declared a mental defective and committed to a mental institution can obtain relief from disability for prohibition of firearm possession as permitted by the federal National Instant Criminal Background Check System Improvement Amendments Act of 2007.

[HB 311](#) (BR 1056) - [R. Damron](#)

AN ACT relating to prescription drugs.

Amend KRS 218A.180 to permit electronic prescriptions for methamphetamine and Schedule II controlled substances.

[HB 313/LM/CI](#) (BR 1160) - [W. Coursey](#), [A. Webb-Edgington](#)

AN ACT relating to concealed deadly weapons.

Amend KRS 527.020, relating to carrying concealed deadly weapons, to permit the director of the Division of Law Enforcement and conservation officers of the Department of Fish and Wildlife Resources to carry concealed deadly weapons; expand locations where a loaded or unloaded firearm or other deadly weapon may be carried in a motor vehicle to include any container, compartment, or storage space originally installed in the motor vehicle by its manufacturer; exempt persons prohibited from possessing firearms by law from being permitted to have a firearm in a motor vehicle.

[HB 315/LM](#) (BR 1161) - [W. Coursey](#)

AN ACT relating to TVA and Breaks Interstate Park peace officers.

Amend KRS 61.886, 61.887, 61.888, and 61.889 to provide that the commission of Tennessee Valley police officers and Breaks Interstate Park police officers as Kentucky peace officers, and associated security bonds, are to be recorded in the Office of the Secretary of State; provide that TVA officers and Breaks Interstate Park officers commissioned as peace officers shall have authority upon or about property owned or leased by the TVA or Breaks Interstate Park; provide that supplemental authority may be granted by the sheriff of any county in which the TVA or Breaks Interstate Park owns or controls property; provide that when supplemental authority has not been granted, peace officer authority may be extended during times of disaster or other emergency.

[HB 328/LM](#) (BR 823) - [T. Moore](#)

AN ACT relating to driving under the influence.

Amend KRS 189A.010 to subject a person who commits a subsequent DUI while a charge for a prior DUI offense is pending to sentencing as an aggravated DUI offender.

[HB 333](#) (BR 915) - [J. Bell](#), [M. Marzian](#)

AN ACT relating to fireworks and making an appropriation therefor.

Repeal and reenact KRS 227.700 to 227.750 regarding fireworks to define terms; require permit to manufacture, sell, offer for sale, ship, or receive fireworks; prohibit consumer purchase of fireworks by mail order; prohibit issuance of permit to person under 18; establish \$1,000 annual permit fee for manufacturer, distributor, retailer, wholesaler, and exhibitor, and \$100 fee for seasonal retailer; authorize conduct of business associated with each permit; direct permit fees collected as expendable receipts of the fire prevention division; charge the state fire marshal with enforcement of chapter; require Division of Fire Prevention to assign a number to each permit; require a permit holder to affix the number to all orders and invoices; require a consignee to hold a permit before shipping or delivering fireworks; authorize purchases only from a seller holding a permit; require a distributor, manufacturer, and wholesaler to keep accurate record of sales; direct that requests for retailer's or seasonal retailer's permits be accompanied by a statement that the sale of fireworks is permissible in the local jurisdiction; grant localities authority to restrict sale of fireworks by ordinance; permit the fire marshal to inspect the location for each permit and to revoke permits for violation of the chapter; authorize permissible fireworks including those classified as D.O.T., Class C common fireworks, and items that comply with construction, chemical composition, and labeling regulations of the United States Consumer Product Safety Commission and those permitted for use by the general public; permit retailer or seasonal retailer to sell permissible items of consumer fireworks; exclude items from definition of fireworks; establish requirements for storage, location, and display of fireworks; forbid the retail sale of consumer fireworks to intoxicated person or persons under the age of 16; prohibit exploding or igniting fireworks from within a moving vehicle; prohibit the manufacture, possession, shipment, sale, and use of "illegal ground salutes"; list exceptions to application of chapter; establish conditions for seizure of fireworks as contraband and the process required prior to resale or disposal of seized items; require an exhibitor's license to perform outdoor fireworks display, proximate pyrotechnic display, or indoor or outdoor display using flame effects; establish conditions and application requirements for issuance of an exhibitor's license and renewal; establish penalties and conditions for denial, suspension, revocation, or refusal to renew exhibitor's license or certification; direct the fire marshal to establish a program of certification for an outdoor fireworks display operator, proximate pyrotechnic display operator, and flame effect display operator; direct the fire marshal to promulgate administrative regulations to establish scope and type of required examinations; prohibit anyone other than a certified operator to perform an outdoor display using display or 1.4G fireworks; require a certified operator to be present during preparation for a display; prohibit an exhibitor or certified operator from performing outdoor fireworks display, proximate pyrotechnic display, or flame effect display except in accordance with NFPA regulations and administrative regulations promulgated by the state fire marshal; exempt individuals and organizations using consumer fireworks for personal or display use; establish requirements for public displays, including permit application process; require fire personnel and extinguishers at each event; require the fire marshal to collect a permit fee from the sponsor for each event; require Class B fireworks to be stored in accordance with NFPA regulations and federal, state, and local laws; charge the fire marshal with the administration and enforcement of this chapter; direct the fire marshal to promulgate administrative regulations relating to licensing of exhibitors, certification of operators, training, examinations, manufacture, handling, and standards for storage and use, and the code for fireworks display; grant control of the legal sale and use of fireworks to local jurisdictions; establish penalties for violation of chapter; amend KRS 227.782 to direct moneys collected from fees into the fire prevention and public safety fund; require that funds be used to administer this Act and to support fire and safety prevention programs; amend KRS 227.990 to establish penalties and to conform.

[HB 347](#) (BR 1298) - [T. McKee](#)

AN ACT relating to veterinarians.

Amend KRS 321.185 to provide that veterinarians who report suspected animal cruelty cases are not in violation of client/patient confidentiality requirements contained in the statute.

[HB 351/LM](#) (BR 1294) - [H. Collins](#)

AN ACT relating to duties owed to another person.

Amend KRS 411.148 to provide that each person has a duty to render emergency care to certain injured persons; provide immunity from civil liability; establish exceptions and penalty; create a new section of KRS Chapter 519 to provide

that a person has a duty to report known felony conduct and the discovery of a dead body; provide for exceptions and establish penalty; repeal KRS 311A.150.

[HB 356](#) (BR 1351) - [J. Stacy](#), [H. Collins](#), [M. Cherry](#)

AN ACT relating to motor vehicles.

Create a new section of KRS 189 to define the term "mini-truck" and add mini-trucks to the definition of "motor vehicle"; permit the operation of mini-trucks on highways other than interstate highways and highways with a speed limit greater than 55 mph; require operators of mini-trucks to comply with the same insurance, title, registration and usage tax requirements as a motor vehicle; amend KRS 186.010 to define the term "mini-truck" and include mini-trucks under the definition of "motor vehicle"; amend KRS 190.010 to exclude dealers of mini-trucks from the requirement they be a licensed motor vehicle dealer.

[HB 358/AA](#) (BR 1165) - [D. Ford](#)

AN ACT relating to assignment of death benefits.

Amend KRS 61.705 to allow the designated beneficiary of a member of the Kentucky Retirement Systems to assign the death benefit to a bank, licensed funeral home, or other lawfully recognized business entity upon the death of the member; amend KRS 161.655 to allow the designated beneficiary of a member of the Teachers' Retirement System to assign the life insurance policy benefit to a bank, licensed funeral home, or other lawfully recognized business entity; amend KRS 61.690 and 161.700 to conform.

[HB 359/LM](#) (BR 1184) - [M. Cherry](#), [L. Napier](#)

AN ACT relating to motor vehicles.

Create a new section of KRS Chapter 189 to define the term "mini-truck" and add mini-trucks to the definition of "motor vehicle"; permit the operation of mini-trucks on highways other than interstate highways and highways with a speed limit greater than 55 mph; require operators of mini-trucks to comply with the same insurance, title, registration and usage tax requirements as operators of a motor vehicles; amend KRS 186.010 to define the term "mini-truck" and include mini-trucks under the definition of "motor vehicle"; amend KRS 190.010 to exclude dealers of mini-trucks from the requirement they be a licensed motor vehicle dealer.

[HB 360/LM/AA](#) (BR 361) - [A. Koenig](#), [A. Webb-Edgington](#), [R. Meeks](#)

AN ACT proposing to amend and create sections of the Constitution of Kentucky relating to the office of Constable.

Propose to create a new section of the Constitution of Kentucky allowing the legislative body of a county to abolish the office of constable; amend Section 99 of the Constitution of Kentucky to conform.

[HB 362](#) (BR 857) - [R. Henderson](#)

AN ACT relating to ginseng.

Amend KRS 246.650 to define "Ginseng" and delete the definition of "Cultivated ginseng"; amend KRS 246.660 to prohibit information relating to the purchase or sale of ginseng from being subject to public disclosure; to require the department to establish licensing requirements for ginseng dealers; to require the department to promulgate administrative regulations establishing administrative violations and civil penalties relating to ginseng; create a new section of KRS 246.650 to 246.660 to establish a Kentucky ginseng fund; amend KRS 246.990 to establish penalties and establish a mechanism for the seizing of ginseng.

[HB 366/LM/CI](#) (BR 1279) - [A. Webb-Edgington](#), [J. Jenkins](#), [S. Santoro](#)

AN ACT relating to crimes and punishments.

Amend KRS 508.160 to add disarming the officer of defensive of control weapons, add acts which do not constitute an offense.

[HB 370](#) (BR 1206) - [M. Marzian](#), [J. Jenkins](#)

AN ACT relating to school safety.

Amend KRS 158.148 to require the discipline code to prohibit harassment, intimidation, bullying, or cyberbullying against students and define term; amend KRS 525.070 to expand the crime of harassment to include harassment, intimidation, bullying, or cyberbullying as defined in KRS 158.148 by students on school property and at school-sponsored events.

[HB 376/LM/CI](#) (BR 1490) - [D. Floyd](#)

AN ACT relating to drugs.

Amend KRS 217.015 to include products containing ephedrine, pseudoephedrine, and phenylpropanolamine as "legend drugs"; amend KRS 218A.1446 to allow the Office of Drug Control Policy to authorize use of the KASPER system for the required record keeping for ephedrine, pseudoephedrine, and phenylpropanolamine sales; amend KRS 217.215 to allow a pharmacist to dispense an ephedrine, pseudoephedrine, and phenylpropanolamine product without a prescription to a person evidencing physical symptoms treatable by those products; amend KRS 218A.202 to allow the KASPER system of prescription electronic reporting to accept data on sales of ephedrine, pseudoephedrine, and phenylpropanolamine products

[HB 377](#) (BR 1364) - [R. Crimm](#)

AN ACT relating to 911 emergency services and making an appropriation therefor.

Amend KRS 65.7621 to add new definitions; create new sections of KRS 65.7621 to 65.7643 to create the Kentucky 911 Emergency Communications Authority and establish the board of directors; amend KRS 65.7623 to provide the board of directors take over for the CMRS Board; amend KRS 65.7625 to establish an executive director of 911 emergency communications and provide that the director assist with the development of a next generation 911 strategy; amend KRS 65.7627 to establish the 911 fund to be made up of 911 service charges and prepaid wireless service charges; amend KRS 65.7629 to exempt from prepaid wireless services from the 911 service charge and make technical changes; amend KRS 65.7631 to make technical changes; amend KRS 65.7633 to require the board to establish procedures for the submission of a state 911 plan, including the development of a next generation 911 system; create a new section of KRS 65.7621 to 65.7643 requiring the board to recommend an equitable 911 funding procedure before July 1, 2012; amend KRS 65.7635 to conform; amend KRS 65.7635 to remove language relating to prepaid CMRS services, which will take effect on January 1, 2012; create a new section of KRS 65.7621 to 65.7643 to create definitions for this section, provide a mechanism for a 1.4% prepaid wireless service charge to be assessed at the point of sale of prepaid wireless telecommunications services; provide that sellers remit the prepaid wireless service charge to the Department of Revenue, which shall forward the funds to the Kentucky 911 Emergency Communications Authority; amend KRS 65.7639 and 65.7641 to conform; repeal KRS 39G.040; provide that Sections 11 and 12, relating to prepaid wireless service charges, are effective as of January 1, 2012.

[HB 382/LM](#) (BR 1599) - [J. Gooch Jr.](#), [M. Nemes](#)

AN ACT relating to consumer protection.

Create a new section of KRS Chapter 367 relating to consumer protection to prohibit business solicitation within 30 days following a motor vehicle accident, provide exceptions, and establish penalty; amend KRS 21A.310 to conform.

[HB 390/LM/CI](#) (BR 1491) - [D. Floyd](#)

AN ACT relating to unborn children.

Amend KRS 311.780 to prohibit abortion after the twentieth week of fetal development; amend KRS 311.990 to establish the penalty as a Class D felony; name provisions "The Kentucky Pain-Capable Unborn Child Protection Act."

[HB 392/LM/CI](#) (BR 24) - [J. Bell](#)

AN ACT relating to driving under the influence.

Amend KRS 189A.010, 189A.070, and 189A.090, relating to DUI, to provide that a conviction is required before a prior offense may be used against a defendant.

[HB 393/LM](#) (BR 1450) - [M. Marzian](#), [J. Jenkins](#)

AN ACT relating to DNA.

Amend KRS 17.169 to include local law enforcement as persons authorized to collect DNA samples; amend KRS 17.170 to provide for the collection of DNA samples at arraignment from all persons charged with a felony offense; amend KRS 17.175 to provide for expungement of DNA samples in specified circumstances; amend KRS 64.060 to establish a \$5 payment from the State Treasury to the collecting agency for each DNA sample collected.

[HB 400/LM/CI](#) (BR 1424) - [D. Osborne](#)

AN ACT relating to crimes and punishments.

Amend KRS 514.040, relating to theft by deception, to include the issuance of a check with knowledge that it will not be

honored by the drawee for lease, rent, or purchase of property, for payment to an auction escrow account, for child support, or for taxes or fees to state or local government.

[HB 404](#) (BR 1441) - [A. Webb-Edgington](#), [S. Santoro](#)

AN ACT relating to Kentucky Office of Homeland Security grants to law enforcement agencies.

Amend KRS 16.220, relating to Kentucky Office of Homeland Security grants for firearms, body armor, and other items for law enforcement agencies, to add public airport safety and security departments established pursuant to KRS 183.880.

[HB 413/CI](#) (BR 989) - [J. Bell](#)

AN ACT relating to DNA.

Amend KRS 422.285, relating to post-conviction DNA testing, to expand the statute to cover all felony offenses.

[HB 423/LM](#) (BR 1469) - [T. Moore](#)

AN ACT relating to driving under the influence.

Amend KRS 189A.010 to provide that a motor vehicle used in the commission of specific DUI offenses is subject to forfeiture; provide exceptions.

[HB 434/LM](#) (BR 86) - [M. Dossett](#)

AN ACT relating to crimes and punishments.

Amend KRS 525.070 to provide that the offense of harassment shall also include the intentional exposure of a person's undergarments.

[HB 441](#) (BR 1129) - [T. Burch](#), [S. Westrom](#), [J. Wayne](#), [A. Webb-Edgington](#), [A. Wuchner](#)

AN ACT relating to the external statewide child fatality and near fatality review panel.

Create a new section of KRS Chapter 620 to establish a statewide child fatality and near fatality external review panel and set out its membership and duties; amend KRS 620.020 to define "fatality," "near fatality," and "preventable fatality or near fatality"; amend KRS 620.050 to require data or information concerning reports and investigations concerning a child fatality or near fatality be made available to the public; establish parameters for the release of information; require the cabinet to promulgate administrative regulations to carry out the provisions related to the release of public information.

[HB 446/LM/CI](#) (BR 1552) - [T. McKee](#)

AN ACT relating to failure to return to custody.

Create a new section of KRS Chapter 520 to establish the crime of failure to return to custody when a prisoner on a community service or work program fails to return to custody; set penalty as Class A misdemeanor if the crime for which he or she was convicted was a misdemeanor and Class D felony if the crime for which he or she was convicted was a felony; amend KRS 520.030, relating to escape in the second degree, and KRS 520.040, relating to escape in the third degree, to prohibit conviction for both escape and failure to return to custody.

[HB 451](#) (BR 1395) - [D. Butler](#)

AN ACT relating to disabled parking placards.

Amend KRS 189.456 to require that the information contained on disabled parking placards is written on a tamper-evident sticker that is color coded based upon the year in which the placard expires.

[HB 458](#) (BR 931) - [M. Cherry](#)

AN ACT relating to emergency management.

Create new sections of KRS Chapter 39E to create a cost recovery program for hazardous materials teams and fire departments, and establish liabilities; amend KRS 39E.060 to authorize the Kentucky Emergency Management Commission to commence any civil action necessary in assisting hazardous materials teams and fire departments in recovering costs relating to the release of any hazardous substance; amend KRS 39E.040 to expand the duties of the commission; repeal, reenact and amend KRS 39E.190 to specify notification protocol in the event of hazardous substance release or imminent release that exceeds or could exceed authorized limits.

[HB 463/LM/CI](#) (BR 363) - [J. Tilley](#), [G. Stumbo](#), [R. Adkins](#), [L. Clark](#), [R. Damron](#), [T. Thompson](#)

AN ACT relating to the criminal justice system, making an appropriation therefor, and declaring an emergency.

Create a new section of KRS Chapter 532 to establish the sentencing policy of the Commonwealth; create a new section of KRS Chapter 196 to declare the primary objectives of the Department of Corrections; amend KRS 446.010 to add pertinent definitions; create a new section of KRS 218A to declare findings of the General Assembly regarding controlled substances and treatment; amend various sections of KRS Chapter 218A, relating to controlled substances, to define quantities and to otherwise modify elements of offenses and penalties; create a new section of KRS Chapter 218A to provide for pretrial release; create a new section of KRS Chapter 218A to allow deferred prosecution for possession cases; amend KRS 218A.275 and 218A.276 to permit risk and needs assessments for treatment and expungement of misdemeanor possession cases upon successful completion of treatment; create new sections of KRS Chapter 196 requiring the Department of Corrections to analyze savings from controlled substance modifications and use the savings for treatment, other evidence-based programs, and to expand programs at underused existing facilities; create a new section of KRS Chapter 26A, relating to the Court of Justice, to require the Supreme Court to administer a drug court program; amend KRS 532.080 to specify offenses to which persistent felony offender applies; amend KRS 197.020 to require the department to use a risk and needs assessment; amend KRS 439.3405 to clarify the circumstances for medical release from prison; amend and create various sections of KRS 439.250 to 439.560, relating to probation and parole, to require the use of risk and needs assessments, modify provisions relating to parole hearings, conditions, and deferment, and to require mandatory reentry supervision and postincarceration supervision; amend KRS 532.050, relating to presentence procedure, to require consideration of a risk and needs assessment; create a new section of KRS 439.250 to 439.560 to permit the Department of Correction to implement conditional parole of specified inmates to jails; amend KRS 532.100 to permit specified Class D felons to serve sentences at county jails; create a new section of KRS 439.250 to 439.560 to allow approval of any housing option for parolees that fulfills statutory requirements; create a new section of KRS 439.250 to 439.560 to specify approval of housing options for prisoners on parole or conditional release; amend KRS 532.260, relating to home incarceration, to add conditional release and allow for persons with 9 months or less to serve; create a new section of KRS Chapter 27A to require the Supreme Court to create guidelines for judges to use when considering pretrial release and monitored conditional release; create a new section of KRS Chapter 431 to allow requiring those on pretrial release to use GPS monitoring; amend KRS 431.015 to allow an officer to issue a citation instead of an arrest for specified misdemeanors; amend KRS 431.525 to set a maximum bail not to exceed the amount of fine and court costs for specified crimes; create a new section of KRS Chapter 431 to establish pretrial release and considerations for persons based on risk of flight and danger before trial and require credit toward bail based on time spent in jail before trial; create a new section of KRS Chapter 27A to require the Supreme Court to use evidence-based programs; create a new section of KRS Chapter 196 to require the Department of Corrections to promulgate regulations regarding the use of evidence-based practices for treatment and supervision programs; create new sections of KRS 439.250 to 439.560 to require the Department of Corrections to use evidence-based practices for treatment and supervision programs and to train their employees in the implementation and use of those practices, report on the efforts to implement evidence-based practices, administer a risk and needs assessment upon entry into community supervision and at regular intervals, permit parolees to receive compliance credits, develop a system of graduated sanctions and related procedures, permit modification of probation, establish an administrative caseload supervision program, and require sanctions for failure to comply with conditions of supervision; create a new section of KRS Chapter 27A to require the Chief Justice to submit annual reports detailing various court statistics; amend KRS 196.031 to require additional information in the Justice Cabinet's report; create a new section of KRS Chapter 196 to require the Department of Corrections to create an online database with specified sentencing information; create new sections of KRS Chapter 196 to require the Department of Corrections to calculate savings from the new provisions and require savings to go into a fund; amend various sections of KRS Chapter 196 to permit the department to create community corrections pilot projects, require report, and to establish a fund; create new section of KRS Chapter 6, relating to the General Assembly, to require more information on fiscal impact statements; amend KRS 441.045 and 441.053 to require the use of the Medicaid rate in billing for jail prisoner medical and related costs; create and amend various other sections in KRS Chapter 441 to require a certificate of need before building a new local correctional facility; amend KRS 533.010 to require the court to consider a defendant's risk and needs assessment before sentencing; create a new section of KRS Chapter 534 to provide a credit for time spent in jail to apply to fines and costs; amend various sections of KRS Chapter 439 to make persons on postincarceration supervision subject to the authority of the Parole Board; amend KRS 532.043, relating to conditional discharge for sex offenses, to modify the supervision to postincarceration supervision and specify that persons on postincarceration supervision are subject to the authority of the Parole Board; provide for the implementation of a pilot project to supervise high-risk probationers; make an appropriation to the department to improve the Kentucky Offender Management System; amend various other sections to conform; EMERGENCY and DELAYED EFFECTIVE DATES.

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